

SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO Criminal Department, Central Division		
TITLE OF CASE: THE PEOPLE OF THE STATE OF CALIFORNIA V. MARCUS DELON WESSON		
TRIAL BY JURY IN THE GUILT PHASE OF A CAPITAL CASE- 13TH DAY		Case Number: F04901785-6
Judge/Temporary Judge: R. L. Putnam		Date: February 15, 2005
Court Clerk: B. Graves, M. Salas		Department: 53 Time: 9:00 a.m.
Reporter/Tape: K. Garcia, D. Dedmon		
Bailiff: H. Franco, M. Duenes		

Plaintiff: The People of the State of California	<input type="checkbox"/> Appearing	Counsel: Lisa Gamoian - Chief Deputy District Attorney	<input checked="" type="checkbox"/> Appearing
Defendant: Marcus Delon Wesson	<input checked="" type="checkbox"/> Appearing	Counsel: Peter Jones - Chief Deputy Public Defender	<input checked="" type="checkbox"/> Appearing
		Rafael Torres - Deputy Public Defender	<input type="checkbox"/> Pro Per

Pursuant to the adjournment of February 14, 2005, Court reconvenes at 9:00 a.m. The People, represented by Lisa Gamoian, Chief Deputy District Attorney, and the defendant Marcus Delon Wesson, with his counsel, Peter Jones, Chief Deputy Public Defender and Rafael Torres, Deputy Public Defender are present. All parties state they are ready to proceed.

Outside the presence of the prospective jurors, the parties stipulate to release for cause juror I10 and I23.

Court orders that jurors A10 and E6 be scheduled for February 22, 2005 at 1:30 p.m. for further questioning as to status of their civil rights being restored.

The Court and respective counsel begin individual questioning of Group I at 9:03 a.m.

Prospective juror I2 is questioned by the Court and respective counsel beginning at 9:04 a.m. and concludes at 9:11 a.m.

Prospective juror I4 is questioned by the Court and respective counsel beginning at 9:12 a.m. and concludes at 9:22 a.m.

Prospective juror I5 is questioned by the Court and respective counsel beginning at 9:24 a.m. and concludes at 9:38 a.m.

Prospective juror I6 is questioned by the Court and respective counsel beginning at 9:39 a.m. and concludes at 9:49 a.m.

Prospective juror I7 is questioned by the Court and respective counsel beginning at 9:50 a.m. and concludes at 10:05 a.m.

Prospective juror I8 is questioned by the Court and respective counsel beginning at 10:06 a.m. and concludes at 10:21 a.m.

Outside the presence of the prospective jurors, The Court and respective counsel discuss challenges for cause. Mr. Jones challenges the following prospective jurors for cause: I4, I5 I7 and I8. Ms. Gamoian has no challenges at this time.

The Court, after hearing and observing the prospective jurors and considering arguments of respective counsel, rules as follows: I4, I5 and I7 are excused for cause. I8 is denied.

The Court stands in recess at 10:29 a.m. until 10:53 a.m.

Court Reporter Denise Dedmon replaces Kristi Garcia at 10:53 a.m.

Prospective juror I9 is questioned by the Court and respective counsel beginning at 10:54 a.m. and concludes at 11:13 a.m.

Prospective juror I11 is questioned by the Court and respective counsel beginning at 11:14 a.m. and concludes at 11:22 a.m.

Prospective juror I12 is questioned by the Court beginning at 11:23 a.m., the courtroom is cleared and the Court questions this juror. The courtroom is opened to the public at 11:29 a.m. and questioning by respective counsel begins at 11:30 a.m. and concludes at 11:39 a.m.

Prospective juror I13 is questioned by the Court and respective counsel beginning at 11:40 a.m. and concludes at 11:54 a.m.

Prospective juror I14 is questioned by the Court and respective counsel beginning at 11:55 a.m. and concludes at 11:58 p.m. Parties stipulate to excuse for cause due to a language barrier.

Outside the presence of the prospective jurors, The Court and respective counsel discuss challenges for cause. Mr. Jones challenges the following juror for cause: I13. Ms. Gamoian challenges the following jurors for cause: I9 and I12 .

The Court, after hearing and observing the prospective jurors and considering arguments of respective counsel, rules as follows: I9, I12 and I13 are excused for cause.

The Court stands in recess at 12:15 p.m.

Court Reporter K. Garcia replaces Denise Dedmon at 1:30 p.m.

Prospective juror I18 is questioned by the Court and respective counsel beginning at 1:31 p.m. and concludes at 1:40 p.m.

Prospective juror I19 is questioned by the Court and respective counsel beginning at 1:42 p.m. and concludes at 1:47 p.m.

Prospective juror I20 is questioned by the Court and respective counsel beginning at 1:48 p.m. and concludes at 1:55 p.m.

Prospective juror I21 is questioned by the Court and respective counsel beginning at 1:56 p.m. and concludes at 2:08 p.m.

Prospective juror I22 is questioned by the Court and respective counsel beginning at 2:09 p.m. and concludes at 2:17 p.m.

Prospective juror I24 is questioned by the Court and respective counsel beginning at 2:18 p.m. and concludes at 2:29 p.m.

Outside the presence of the prospective jurors, The Court and respective counsel discuss challenges for cause. Mr. Jones challenges the following prospective juror for cause: I18, I21, I22 and I24 . Ms. Gamoian has no challenges at this time.

The Court, after hearing and observing the prospective jurors and considering arguments of respective counsel, rules as follows: I22 is excused for cause. I18, I21 and I24 are denied.

The Court stands in recess at 2:38 p.m. until 2:50 p.m.

Court Reporter Denise Dedmon replaces Kristi Garcia at 2:50 p.m.

Respective counsel stipulate to excuse the following prospective jurors for cause: J6, J12, J16, J20, J21, J23, J24, J29 and J31.

Prospective juror I25 is questioned by the Court and respective counsel beginning at 2:55 p.m. and concludes at 3:04 p.m.

Prospective juror I26 is questioned by the Court and respective counsel beginning at 3:05 p.m. and concludes at 3:20 p.m.

Prospective juror I28 is questioned by the Court and respective counsel beginning at 3:21 p.m. and concludes at 3:31 p.m.

Prospective juror I29 is questioned by the Court and respective counsel beginning at 3:32 p.m. and concludes at 3:45 p.m.

Prospective juror I30 is questioned by the Court and respective counsel beginning at 3:46 p.m. and concludes at 4:01 p.m.

Prospective juror I31 is questioned by the Court and respective counsel beginning at 4:02 p.m. and concludes at 4:19 p.m.

Prospective juror I32 is questioned by the Court and respective counsel beginning at 4:20 p.m. and concludes at 4:35 p.m.

The Court and respective counsel discuss challenges for cause. Mr. Jones challenges the follow prospective jurors for cause: I26, I28, I30 and I32. Ms Gamoian challenges the following prospective juror for cause: I29.

The Court, after hearing and observing the prosective jurors and hearing arguments of respective counsel, rules as follows: I28, I30 and I32 excused for cause. I29 is denied. I26 is taken under advisement.

Court adjourns at 4:39 p.m. until February 16, 2005, at 9:00 a.m. for further jury selection.

The defendant, Mārcus Delon Wesson, remains in the custody of the Sheriff of Fresno County.

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