

<b>SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO</b> <b>Criminal Department, Central Division</b>		Entered by:
TITLE OF CASE: <b>PEOPLE V. MARCUS WESSON</b>		
<b>CRIMINAL COURT - MINUTES - PRELIMINARY HEARING</b>		Case Number: <b>F04901785-6</b>
Judge/Temporary Judge: <b>LAWRENCE JONES</b>		Date: <b>April 12, 2004</b>
Court Clerk: <b>VIRGINIA RIVERA</b>		Department:: <b>60</b> Time: <b>10:05 a.m.</b>
Reporter/Tape: <b>KRISTI GARCIA/LESLIE BJERKE</b>		
Bailiff: <b>ERIC GARCIA</b>		

Plaintiff: <b>PEOPLE</b>	<input checked="" type="checkbox"/> Appearing	Counsel: LISA GAMOIAN, DEPUTY DISTRICT ATTORNEY	<input checked="" type="checkbox"/> Appearing
Defendant: <b>MARCUS WESSON</b>	<input checked="" type="checkbox"/> Appearing	Counsel: PETE JONES, DEPUTY PUBLIC DEFENDER	<input type="checkbox"/> Pro Per
		RALPH TORRES, DEPUTY PUBLIC DEFENDER	<input type="checkbox"/> Pro Per

Pursuant to adjournment of April 8, 2004, the Court reconvenes at 10:05 a.m., with all parties present and ready to proceed.

Court and counsel discuss matters with respect to law and procedure, as stated into the record.

Detective Michelle Ochoa, Fresno Police Department, having been previously sworn, resumes the witness stand and further testifies on behalf of the People.

The Court stands in recess at 11:35 a.m.

The Court reconvenes at 11:45 a.m. with all parties present and ready to proceed.

Leslie Bjerke replaces Kristi Garcia as the Court Reporter.

Detective Michelle Ochoa, Fresno Police Department, having been previously sworn, resumes the witness stand and further testifies on behalf of the People.

The Court stands in recess at 12:00 p.m. until 1:30 p.m.

The Defendant remains in the custody of the Fresno County Sheriff's Department.

The Court reconvenes at 1:30 p.m. with all parties present and ready to proceed.

Detective Michelle Ochoa, Fresno Police Department, having been previously sworn, resumes the witness stand and further testifies on behalf of the People.

Detective Douglas Reese, Fresno Police Department, is sworn and testifies on behalf of the People.

People's exhibit no. 1, no. 2, no. 3, no. 4, no. 5, no. 6, no. 7, no. 8, and no. 9, having previously been marked for identification are now received in evidence.

People make a Motion to Amend Count 10, to reflect the date of January 1, 1988, the Court grants the Motion.

People make a Motion to Amend Count 14, to reflect the date of April 22, 1991, the Court grants the Motion.

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People make a Motion to Amend Count 20, to reflect the date of November 6, 1991, the Court grants the Motion.

People make a Motion to Amend Count 33, to reflect the date of December 27, 1997, the Court grants the Motion.

People make a Motion to hold the Defendant to Answer as to Count 1, Count 2, Count Three, Count Four, Count Five, Count Six, Count Seven, Count Eight, Count Nine, Count Ten, Count Twelve, Count Thirteen, Count Fourteen, Count Eighteen, Count Nineteen, Count Twenty, Count Twenty- Four, Count Twenty- Five, Count Thirty, Count Thirty- One , and Count Thirty- Three, as stated into the record.

The People rest.

The Court stands in recess.

The Court reconvenes at 3:05 p.m. with all parties present and ready to proceed.

Mr. Jones argues the matter to the Court on behalf of the Defendant.

Ms. Gamoian argues the matter to the Court on behalf of the People.

The Court states it appears that the following offense(s): Count One- PC 187(a) with PC 190.2(a)(3) PC 12022.532(d) PC 12022(a)(1), Count Two-PC 187(a) with PC 190.2(a)(3) PC 12022.53 (d) PC 12022(a)(1), Count Three-PC 187(a) with PC 190.2(a)(3) PC 12022.532(d) PC 12022(a)(1), Count Four-PC187(a) with PC 190.2(a)(3) PC 12022.532(d) PC 12022(a)(1), Count Five-PC 187(a) with PC 190.2(a)(3) PC 12022.532(d) PC 12022(a)(1), Count Six- PC 187(a) with PC 190.2(a)(3) PC 12022.532(d) PC 12022(a)(1), Count Seven-PC 187(a) with PC 190.2(a)(3) PC 12022.532(d) PC 12022(a)(1), Count Eight-PC 187(a) with PC 190.2(a)(3) PC 12022.532(d) PC 12022(a)(1), Count Nine-PC 187(a) with PC 190.2(a)(3) PC 12022.532(d) PC 12022(a)(1), Count Ten-PC 288.5 with PC 803 (g)(1), Count Twelve PC 288a(c)(2), Count Thirteen-PC 288a(c)(2), Count Fourteen- PC 288.5 with PC 803(a), Count Eighteen-PC 261 (a)(2), Count Twenty-PC 288.5, Count Twenty-Four-PC 261.(a)(2), Count Twenty Five- PC 288.5, Count Thirty-PC 261(a)(2), Count Thirty- One-PC 261(a)(2), Count Thirty- Two-PC 261(a)(1), and Count Thirty Three- PC 288 have been committed; and that there is sufficient cause to believe the Defendant is guilty thereof, the Court order that the Defendant be held to answer to the same.

The Defendant is ordered to appear in the Superior Court of California, County of Fresno, on April 27, 2004, at 9:00 a.m. in Department 96.

Counsel argue the Defendant's Motion to Dismiss.

The Court denies the Motion to Dismiss.

The Court dismisses Count Eleven, Count Fifteen, Count Sixteen, Count Seventeen, Count Twenty-One, Count Twenty-Two, Count Twenty-Three, Count Twenty-Six, Count Twenty-Seven, Count Twenty-Eight, Count Twenty-Nine, Count Thirty-Four, Count Thirty Five, Count Thirty -Six, Count Thirty-Seven, Count Thirty-Eight, Count Thirty-Nine, County Forty, Count Forty-One, Count Forty-Two, as stated into the record.

All counsel stipulate to the return of the People's exhibits.

The Defendant remains in the custody of the Fresno County Sheriff's Department.

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The Court stands adjourned.