

ELIZABETH A. EGAN  
DISTRICT ATTORNEY  
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CHIEF DEPUTY DISTRICT ATTORNEY  
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Attorney for the Plaintiff

**FILED**

**MAR 30 2005**

FRESNO SUPERIOR COURT

By \_\_\_\_\_  
DEPT. 53 - DEPUTY

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO  
CENTRAL DIVISION**

THE PEOPLE OF THE STATE OF  
CALIFORNIA,

Plaintiff,

vs.

MARCUS WESSON

Defendants

) Court Case Number: F04901785-6

) DA Case Number: 04H9621

) DECLARATION IN SUPPORT OF  
) APPLICATION FOR "USE" IMMUNITY  
) FOR ELIZABETH WESSON

) DATE: 3-7-04

) DEPT: 53

TO THE HONORABLE JUDGE OF THE ABOVE ENTITLED COURT  
AND TO THE DEFENDANT AND HIS ATTORNEY OF RECORD:

I, Lisa M. Gamoian, declare that:

1. I am a Chief Deputy District Attorney of the County of Fresno, State of California and the attorney assigned to prosecute the case of People v. MARCUS WESSON, Superior Court number F04901785-6;
2. ELIZABETH WESSON is a necessary and material witness in said matter and was personally present during certain acts, events and conversations related to and concerning crimes, which the defendant is being charged with in the above entitled action;
3. It now appears that said witness will refuse to answer certain questions on the ground that such answers might incriminate her;
4. The use of ELIZABETH WESSON as a witness is not contrary to the public interest and could not subject her to criminal prosecution in another jurisdiction.

1 5. THEREFORE, the District Attorney of the County of Fresno requests an order pursuant  
2 to Penal Code Section 1324 that said witness, ELIZABETH WESSON, testify for the People of  
3 the State of California as to all facts, conversations, events and other evidence within her  
4 knowledge that occurred while she was present at and near 761 W. Hammond, Fresno,  
5 California, on ~~April~~ <sup>March</sup> 12, 2004 before, during and after the time victims Sebhrenah April <sup>3-30-05</sup>  
6 Wesson, Elizabeth Breani Kina Wesson, Jeva St. Vladensvspry Wesson, Sedona Vadra  
7 Wesson, Marshey St. Christopher Wesson, Ethan St. Laurent Wesson, Illabelle Carrie Wesson,  
8 Aviv Dominique Wesson, and Johnathan St. Charles Wesson were murdered at 761 W.  
9 Hammond, Fresno, California, bearing upon the case entitled People v. MARCUS WESSON,  
10 Superior Court number F04901785-6; and

11 6. The People of the State of California will **not use the testimony** of said witness, or any  
12 information derived directly or indirectly from **her testimony**, against her in any criminal case.  
13 She may nevertheless be prosecuted or subjected to penalty or forfeiture for perjury, false  
14 swearing or contempt committed in answering, or failing to answer, or in producing, or failing  
15 to produce, evidence in accordance with the court's order.

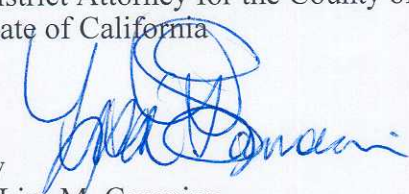
16  
17 I declare under penalty of perjury that the foregoing is true and correct except as to those  
18 matters stated on information and belief and as to those I believe them to be true and correct  
19 and that this declaration was executed on March 30, 2005  
20 at Fresno, California.

21 DATED:

RESPECTFULLY SUBMITTED,

ELIZABETH A. EGAN  
District Attorney for the County of Fresno,  
State of California

by

  
Lisa M. Gamoian  
Chief Deputy District Attorney