

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– 45TH DAY		Case Number: F04901785-6
Judge/Temporary Judge: R. L. Putnam Court Clerk: W. Anderson/ B. Graves Reporter/Tape: K. Garcia, D. Dedmon Bailiff: H. Franco, G. Ozburn, P. Bellefeuille		Date: April 14, 2005
		Department: 53 Time: 9:00 a.m.

Plaintiff: THE PEOPLE OF THE STATE OF CALIFORNIA Defendant: Marcus Delon Wesson	<input type="checkbox"/> Appearing <input checked="" type="checkbox"/> Appearing	Counsel: Lisa Gamoian, Chief Deputy District Attorney Counsel: Peter Jones, Chief Deputy Defender Rafael Torres, Deputy Public Defender	<input checked="" type="checkbox"/> Appearing <input type="checkbox"/> Pro Per <input checked="" type="checkbox"/> Appearing <input type="checkbox"/> Pro Per
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Pursuant to adjournment of 4/13/05, Court reconvenes at 9:00 a.m. The People represented by Lisa Gamoian, Chief Deputy District Attorney, and the defendant, Marcus Delon Wesson, with counsel, Peter Jones, Chief Public Defender and Rafael Torres, Deputy Public Defender are present. All parties state that they are ready to proceed.

Court Reporter, Kristi Garcia is present in court at 9:00 a.m.

Outside the presence of the jury, Lisa Gamoian, Chief Deputy District Attorney, requests a witness be ordered back;

Kiani Wesson is present and ordered to return at 1:30 p.m. this afternoon.

The jury is brought into the courtroom at 9:03 a.m. and the trial resumes.

Detective Carlos Leal Jr., having been previously sworn, resumes the witness stand on continued direct examination by Lisa Gamoian, Chief Deputy District Attorney at 9:03 a.m. while the playing of the video tape.

At 9:03 a.m., People exhibit #701, (video tape- interview of Gypsey Wesson) is played to the jury.

At 9:11 a.m., People exhibit # 701, (video tape- interview of Gypsey Wesson) has completed playing.

Det. Carlos Leal, Jr. is excused at 9:13 a.m. and ordered subject to recall.

Detective Douglas Reese is sworn and testifies on direct examination by Lisa Gamoian, Chief Deputy District Attorney at 9:13 a.m.

People exhibit #700, (small evidence envelope containing 2 tapes) is shown to witness Reese at 9:14 a.m. and unsealed.

PEOPLE EXHIBIT #700A, (CASSETTE TAPE OF INTERVIEW OF GYPSEY WESSON) IS MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE.

PEOPLE EXHIBIT #700B, (CASSETTE TAPE OF INTERVIEW OF GYPSEY WESSON) IS MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE.

Court exhibit #28, (transcript of cassette tape interviews of Gypsey Wesson) is shown to Detective Reese at 9:14 a.m.

At 9:16 a.m., Deputy Franco hands out copies of Court's exhibit #28 (transcript of Gypsey Wesson interview) to the jury panel.

While the deputy hands out the copies of the transcripts, Court reads a section out of CALJIC 0.50 to the jury panel.

At 9:19 a.m., People exhibit #700A, (interview tape of Gypsey Wesson) is played to the jurors.

At 10:13 a.m., cassette tape - side "B" of interview tape - People exhibit # 700A is played to the jury.

Court admonishes the jury and recesses at 10:21 a.m.

Court reconvenes at 10:41 a.m. with all parties present and the jury in their seats.

Denise Dedmon replaces Court Reporter Kristi Garcia at 10:41 a.m.

Det. Douglas Reese, having been previously sworn, resumes the witness stand at 10:41 a.m. while the interview tape is played.

People exhibit #700A - cassette tape -side B, is played to the jury at 10:42 a.m.

At 11:26 a.m., cassette tape #2, (4/9/04 interview of Gypsey Wesson) - People exhibit #700B is played.

Court admonishes the jury and recesses at 12:00 p.m. Outside the presence of the jury, Court and counsel discuss scheduling issues and time lines for the exhibit's.

Court stands in recess at 12:03 p.m.

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

Court reconvenes at 1:32 p.m. with all parties present and the jury in their seats.

Detective Douglas Reese, having been previously sworn, resumes the witness stand on continued direct examination while the playing of People exhibit #700B.

At 1:34 p.m., People exhibit #700B - side A (interview of Gypsey Wesson 4/9/04 interview) is played.

At 1:54 p.m., People exhibit #700B- side B (interview of Gypsey Wesson 4/9/04 interview) is played.

At 2:01 p.m., People's exhibit #700B is done.

Defense attorney, Rafael Torres, Deputy Public Defender, cross examines Detective Reese at 2:02 p.m.

At 2:03 p.m., Court orders Detective Reese excused and subject to recall.

Kiani Wesson is sworn and testifies on direct examination at 2:05 p.m. by Lisa Gamoian, Chief Deputy District Attorney.

Court admonishes the jury and recesses at 2:50 p.m.

Denise Dedmon replaces Court Reporter Kristi Garcia at 3:10 p.m.

Court reconvenes at 3:10 p.m. with all parties present and the jury in their seats.

Kiani Wesson, having been previously sworn, resumes the witness stand on continued direct examination at 3:11 p.m. by Lisa Gamoian, Chief Deputy District Attorney.
Court orders Kiani Wesson to return at 9:00 a.m. on 4/18/05.

Court discusses with the jurors the scheduling for working half days on Fridays. Court further asks the jurors to think about scheduling in the month of May.

Court admonishes the jurors and adjourns at 4:24 p.m. until 9:00 a.m. on 4/18/05.

Outside the presence of the jury panel, Court inquires of counsel of any dates in the future that the trial needs to adjourn early on. Counsel converse and will submit next week.

Court and counsel discuss exhibit's to be moved into evidence, and the following exhibit's having been previously marked for identification are now received into evidence.

DEFENSE EXHIBIT 'YY', (ROSIE'S JOURNAL)- Court orders that the Judicial Assistant make a copy of this exhibit and mark the photocopy as: Defense exhibit YY (1).

DEFENSE EXHIBIT 'YY(1)', (PHOTOCOPY OF ROSIE'S JOURNAL) received into evidence.

DEFENSE EXHIBIT 'U', (SMALL PHOTO OF BROKEN LIGHT SWITCH ON WALL)

DEFENSE EXHIBIT 'V', (SMALL PHOTO OF DOOR KNOB WITH SIGN- "People vs. Wesson - 1/24/04 @ 8:30 a.m.)

DEFENSE EXHIBIT 'W W', (PHOTO OF A GROUP OF PEOPLE)

PEOPLE EXHIBIT # 696, (CERTIFIED COPY OF " ORDER RE: PROSPECTIVE WITNESSES)

PEOPLE EXHIBIT # 154, (8 1/2 X 11 PHOTO - TABLE WITH 7 VIDEO TAPES LAYING ON TOP)

DEFENSE EXHIBIT 'XX', (BLACK BINDER CONTAINING 35 PAGES OF HANDWRITTEN LISTING OF TITLES)

Court stands in adjournment at 4:30 p.m.

The defendant remains remanded to the custody of the Sheriff of Fresno County pending the next court date.

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