

PRESNO COUNTY
SUPERIOR COURT

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

THE PEOPLE OF THE STATE OF) Case No.: F04901785-6
CALIFORNIA,) D.A. No.: 04H9621
Plaintiff,)
vs.) NOTICE OF FACTORS IN
MARCUS DELON WESSON,) AGGRAVATION (PENAL CODE
Defendant) SECTION 190.3)
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)

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

PLEASE TAKE NOTICE that the People will seek to present
evidence relating to the following aggravating circumstances.

1. The circumstances of the crimes of which the defendant
was convicted in the present proceeding and the special
circumstances found true.

1 2. As part of the circumstances of the crimes, the People
2 intend to call the following witnesses to testify about the
3 impact of all crimes contained in the Information and this
4 Notice on their lives, their family, friends and community:

5 A. Victims and victims' family members including but
6 not limited to Sofina Solorio, Ruby Ortiz, and
7 Brandi Sanchez.

8 B. Fresno Police Department Officers including but
9 not limited to J. Passmore, E. Escareno, P.
10 Jackson and J. Dyer.

11 C. Fresno County Coroner's Office personnel
12 including but not limited to K. Wiefel, J.
13 Tiger, R. Daniels, B. Mendoza and L. Cervantes.

14 D. Fresno City Mayor Alan Autry.

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16
17 2. Felony convictions:

CONVICTION DATE	OFFENSE	COURT
2-26-90	PC 118 WI 10980(c)(2)	Santa Cruz SC, #CR2424

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19
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21 3. Criminal activity involving use or attempted use of
22 force or violence or the express or implied threat to use force
23 or violence as follows:

24 A. From approximately 1984 through 2002, the
25 defendant committed such acts against Jane Doe 1.

1 These acts include child molestation, rape, oral
2 copulation, assault with a deadly weapon and
3 assault by means of force likely to cause great
4 bodily injury.

5 B. From approximately 1984 through 1997, the
6 defendant committed such acts against Jane Doe 3.
7 These acts include child molestation, rape, oral
8 copulation, kidnapping, false imprisonment,
9 assault with a deadly weapon and assault by means
10 likely to produce great bodily injury.

11 C. From approximately 1984 through 1995, the
12 defendant committed such acts against Jane Doe 4.
13 These acts include child molestation, oral
14 copulation and rape.

15 D. The sodomy of Jane Doe 8 on or about February
16 2004 through March 12, 2004.

17 E. From 1985 through March 12, 2004, the defendant
18 committed such acts against Jane Doe 2. These
19 acts include child molestation, oral copulation
20 and rape.


21 F. From 1984 through March 12, 2004, the defendant
22 committed such acts against Jane Doe 5. These
23 acts include child molestation, oral copulation
24 and rape.

1 G. From approximately 1988 through 2003, the
2 defendant committed such acts against Jane Doe 6.
3 These acts include child molestation and sexual
4 battery.
5

6 As of this date, the defendant has been provided with all
7 reports and background materials pertinent to the above
8 aggravating factors which are currently in the People's
9 possession. The People's investigation, however, is a
10 continuing one and the People respectfully reserve the right to
11 further augment the factors in aggravation that will be relied
12 on at the trial of the penalty phase. When additional
13 information is obtained, whether it relates to the above-
14 mentioned aggravating factors or to different aggravating
15 factors, such information will be provided to the defendant in a
16 timely manner.
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20 DATED : August 11, 2004

RESPECTFULLY SUBMITTED,
ELIZABETH A. EGAN
DISTRICT ATTORNEY

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23 

24 BY: LISA M. GAMOIAN
25 CHIEF DEPUTY DISTRICT ATTORNEY
HOMICIDE UNIT

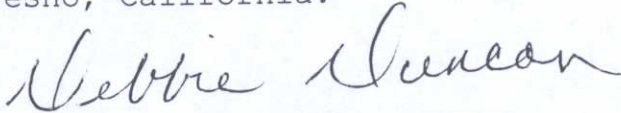
1 PROOF OF SERVICE IN PERSON - 1013a, 2015.5 C.C.P.

2 I, THE UNDERSIGNED, DECLARE AND SAY;

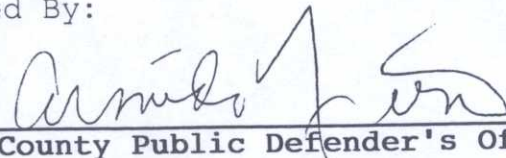
3 I am a citizen of the United States and a resident of
4 the County of Fresno, State of California; I am over the age of
5 eighteen (18) years, residing or employed in the County of
6 Fresno, and not a party to the within action; my business
7 address is Fresno County District Attorney's Office, 2220 Tulare
8 Street, Suite 1000, Fresno, California, 93721.

9 On August 11, 2004, I personally served the within copy
10 of the "Notice of Factors in Aggravation (Penal Code Section
11 190.3)", in RE: Marcus Delon Wesson, Fresno County Court Case
12 No. F04901785-6 to: Peter Jones, Fresno County Public Defender's
13 Office, 2220 Tulare Street, 3rd Floor, Fresno, CA.

14 I declare, under penalty of perjury, under the laws of
15 the State of California, that the foregoing is true and correct
16 and that this declaration was executed this 11th day of
17 August, 2004, at Fresno, California.

18
19 
20 Debbie Duncan, Secretary IV
21 Fresno County District Attorney's Office
Homicide Unit

22 Received By:

23 
24 Fresno County Public Defender's Office

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Date 8/11/04