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Hollywood challenges prosecutors' contentions : Says he ordered Nicholas Markowitz be taken home, not kidnapped and killed

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Jesse James Hollywood told a Santa Barbara jury Tuesday that, contrary to prosecutors' allegation that he ordered the killing of Nicholas Markowitz, his only instruction to Ryan Hoyt was to return the 15-year-old back to the San Fernando Valley from Santa Barbara.

This was the second day the 29-year-old accused mastermind of a drug-related kidnapping and murder plot, who spent five years on the lam after the August 2000 killing, testified in his own defense.

Superior Court Judge Brian Hill's courtroom was packed and curiosity seekers reportedly were forced to wait outside for a seat to open up.

Nicholas was the brother of Ben Markowitz, who according to Mr. Hollywood, owed him roughly \$2,500 and made various threats against him.

Under direct examination from defense attorney James Blatt, Mr. Hollywood recalled waking up on the morning of Aug. 6, 2000, in his San Fernando Valley home to a loud crash. Upon investigation, he found the windows at his home smashed and a green truck speeding away from the scene.

It wasn't until 10 minutes later that Mr. Hollywood said he found out, by way of a voice mail, that Ben Markowitz was responsible for the vandalism.

"How'd you like the window job?" Ben Markowitz allegedly said with what Mr. Hollywood called a fake Mexican accent. "This is just the beginning, mother f---r."

"I wanted to confront Ben and end this feud," Mr. Hollywood testified, but he said didn't attempt to contact the man because he knew Mr. Markowitz would not meet him.

Instead, Mr. Hollywood set out in a borrowed utility van with Jesse Ruge and William Skidmore -- two associates convicted on related charges -- for a trip to Santa Barbara for Fiesta, Mr. Hollywood testified.

With Mr. Ruge behind the wheel, the trio set out to pick up a fourth person, but they unexpectedly passed Ben Markowitz's little brother, Nicholas.

Still steamed from the smashed windows, Mr. Hollywood jumped out of the van, pinned Nicholas against a tree and demanded to know the whereabouts of his brother. Mr. Skidmore

reportedly punched Nicholas in the stomach before he "ushered" the teenager into the van.

Mr. Ruge sped off -- leaving Mr. Hollywood behind -- only to stop feet away to let him back into the passenger seat, according to the testimony.

"It was totally irrational," said Mr. Hollywood, who described getting his windows smashed as the straw that broke the camel's back.

As they drove off, Mr. Hollywood said he had no plans on what to do next, and he never thought about a ransom. After picking up another friend, Brian Affronti, the group continued on to Santa Barbara.

First stop: the home of Richard Hoeflinger, where the group piled off and Mr. Hollywood started making phone calls in search of a ride. Mr. Hollywood wanted to de-escalate the situation by sending Mr. Skidmore and Mr. Affronti back home in the van, and when he went into the back room, he saw Mr. Skidmore taping Nicholas up.

Mr. Hollywood told Mr. Skidmore to remove the tape, and after that, "He was free to go," Mr. Hollywood said. Afterwards, the group started playing video games, smoking marijuana and just hanging out.

Nicholas never asked to go home, according to testimony, and Mr. Hollywood got a ride back to the San Fernando Valley that night to handle some affairs, such as getting his windows fixed and getting his home ready to be shown to potential buyers.

On Aug. 7, 2000, Mr. Hollywood made a return trip to the South Coast to collect some cash from Mr. Ruge. It was at Mr. Ruge's home that he saw Nicholas, and the two smoked marijuana together.

"Do you want to come back to the (Valley) with us?" Mr. Hollywood recalled asking the doomed teenager.

"No, I'm cool," Nicholas allegedly responded.

Sensing no danger, Mr. Hollywood again left Nicholas in Santa Barbara -- a decision the defendant said he came to regret.

The next day, said Mr. Hollywood, he got a call from Mr. Ruge requesting a ride for him and Nicholas back to the Los Angeles area. Mr. Hollywood did not have a working car at the time and wanted to spend the evening with his girlfriend Michelle Lasher, as it was her birthday.

Mr. Hollywood arranged for another of his associates, Ryan Hoyt, to return Mr. Ruge and Nicholas to their respective homes, Mr. Hollywood said. However, on Aug. 9, 2000, Mr. Hollywood was approached by a distressed Mr. Hoyt, who said he and Mr. Ruge shot Nicholas and buried him. Mr. Hoyt questioned Mr. Hollywood on what he thought would have happened if Ben Markowitz found out about the abduction.

"I said 'You got to be kidding me,'" Mr. Hollywood testified. While believing Mr. Hoyt, Mr. Hollywood reported still being in disbelief at that point.

It was after Mr. Skidmore passed along the news that Nicholas' body was discovered, that Mr. Hollywood decided to leave the area. He fled to Colorado in a leased Lincoln along with his girlfriend, who eventually caught a flight back to Los Angeles. Mr. Hollywood visited childhood friends in Colorado Springs, but eventually paid a friend \$3,000 to take him back to the Los Angeles area in an attempt to get guidance from his father or an attorney.

From Los Angeles, Mr. Hollywood took off for the Mojave Desert and stayed at a friend's trailer. He recounted seeing news reports of law enforcement raiding the home of a family friend in search of him, as well as his co-defendants dressed in orange jumpsuits and pointing their fingers at their "ringleader."

"I was scared to death," said Mr. Hollywood, who felt he had already been convicted by the media, would be unable to get a fair trial and could possibly be killed.

So he ran, first to Washington, and then to Canada. However, the show "America's Most Wanted," which featured an episode on the case, airs there, so he kept going until ultimately arriving in Brazil. He lived there for more than four years and fathered a child, only to be arrested in 2005.

The initial abduction of Nicholas happened months after the seed for the rift between Ben Markowitz and Mr. Hollywood had been planted. In February 2000, the two former friends travelled to San Diego to collect on a debt owed to Mr. Hollywood, and Ben Markowitz entered the home of the debtor alone to secure the cash, Mr. Hollywood testified. However, he instead returned to Mr. Hollywood with 200 pills known on the street as "ecstasy," and Ben Markowitz assumed the debt as his own.

The victim's brother reportedly planned to sell the drugs to pay Mr. Hollywood and turn a profit as well.

Having Ms. Lasher take one of the pills confirmed they were the real deal, said Mr. Hollywood. But Mr. Markowitz reported the pills were "bunk" after attempting to sell them -- a story Mr. Hollywood said didn't add up, as he never saw the pills again.

"It was obvious that he had taken the money for himself," Mr. Hollywood told the jurors.

In April 2000, Mr. Hollywood and Ms. Lasher had a meal at a restaurant where Ben Markowitz's girlfriend worked, at which time Mr. Hollywood brought up that Ben had been ducking him and owed him money. The girlfriend reportedly seemed embarrassed and told the couple they didn't have to pay for the meal, and when the \$35 bill came, Mr. Hollywood said to take \$50 off the debt.

Soon after, the threats started, Mr. Hollywood testified.

He said he would have written off the debt, rather than let Mr. Markowitz earn a reputation for not paying his bills. That, said Mr. Hollywood, could get in the way of business.

During Mr. Blatt's questioning, Mr. Hollywood said he felt terrible for everyone involved, including the Markowitz family.

When the District Attorney's Chief Trial Deputy Joshua Lynn took the reins for an examination of his own, the prosecutor asked Mr. Hollywood how he felt.

"A little nervous," said Mr. Hollywood. "Scared."

Asked whether he'd done anything wrong, Mr. Hollywood responded, "Yes, I do and I feel terrible."

Among the misdeeds were pushing Nicholas against a tree, taking the boy to Santa Barbara and never taking him back to the San Fernando Valley.

Of first spotting Nicholas, Mr. Lynn asked whether Mr. Hollywood ordered Mr. Ruge to stop the van. Mr. Hollywood said he couldn't remember if he or Mr. Skidmore called out spotting the boy.

The prosecutor questioned why Mr. Ruge would have stopped the van without an order, and Mr. Hollywood replied that the windows of his home were smashed by Ben Markowitz, and it was possible Nicholas tagged along.

Mr. Hollywood admitted he was aggressive with Nicholas at least during the initial contact; but he wouldn't necessarily say the boy was being held captive while in the van.

Nicholas, Mr. Hollywood said, was just riding along with them unrestrained.

Mr. Lynn asked Mr. Hollywood whether he would have allowed Nicholas to get out of the van if the boy asked. Mr. Hollywood said he didn't know because that did not happen.

Asked why Mr. Hollywood never had the van pull over to let the teenager out, Mr. Hollywood said because they were already headed for Santa Barbara, and they were being impulsive. Mr. Lynn focused in on Mr. Hollywood's "impulsive state" that fateful day, and Mr. Hollywood testified they didn't have a plan and had acted spontaneously throughout.

Mr. Hollywood additionally said he didn't return Nicholas home once in Santa Barbara because he became sidetracked with everything he had to do. He also confirmed for the prosecutor that he never gave the victim a phone in order to call home.

Mr. Hollywood made repeated comments about feeling bad about his past actions, but Superior Court Judge Brian Hill eventually instructed him to listen to Mr. Lynn's questions and not discuss how he feels now.

Mr. Hollywood will be back on the witness stand today beginning at 8:45 a.m.

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