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Jury Finds Hollywood Guilty of Murder, Kidnapping

Verdict Means Death Penalty a Possibility for Famed Former Fugitive

By Chris Meagher

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From day one of their investigation, authorities thought they had their man.

It didn't take long after hikers found the body of 15-year-old Nicholas Markowitz — buried in a shallow grave at Lizard's Mouth in the mountains above Santa Barbara on August 12, 2000 — for investigators to name Hollywood as a prime suspect in the murder.

His friends were quickly gathered and arrested by authorities, and subsequently tried and convicted of crimes related to the murder. But Hollywood escaped, eventually to Brazil. Nine years later — and four since his capture — a Santa Barbara jury agreed that Hollywood was in fact intimately involved in the killing of Nicholas Markowitz.

The now-29-year-old was convicted Wednesday of first degree murder by a Santa Barbara jury of nine women and three men. The conviction comes with a special circumstance enhancement that means Hollywood faces either death or life in state prison without the possibility of parole. That special circumstance is that the murder was committed during a kidnapping.

1. Hollywood was also convicted of a lesser charge of simple kidnapping, which adds up to a three- to eight-year prison sentence. The prosecution had been seeking an aggravated kidnapping conviction, in which the kidnapping would have to be for ransom or extortion and eventually lead to Markowitz's murder. That aggravating factor, which Ruge was convicted of, could have carried a sentence of life behind bars.

Prosecutors believed Hollywood and friends kidnapped Markowitz as the result of a \$1,200 drug debt Markowitz's older brother Ben, a former marijuana dealer friend of Hollywood's, owed. An ongoing feud escalated over time. One day, as Hollywood was looking for Ben Markowitz, he instead came across Nick and threw him in a van. Less than three days later Nick Markowitz was shot nine times and killed by Hollywood's friend Ryan Hoyt.

Outside the courtroom shortly after the verdict was read, the Markowitz family had little to say, as they had been instructed to wait until after sentencing to speak. When asked if she was relieved it was over, Susan Markowitz — who has remained stoic throughout the trial — responded, "It'll never be over." She added, "I'm ready to carry Nick's memory into the world," telling reporters she intended to come out with a book in the coming months.

1. Ben Markowitz, who has shouldered much of the guilt for his actions leading to his brother's murder, was content. "It's just a big relief. The last thing I want is for [Hollywood] to be free," he said just before walking up to his father, Jeff, and stepmother Susan to hug them, the group filled with smiles.

On the other side, Jack Hollywood seemed stunned by the verdict that will keep his son from the freedom for the rest of his life. "It's unbelievable," he said, speaking almost in a whisper and looking stunned. "I don't know what to tell you. I know for a fact he didn't order anyone to kill him."

Word that the jury had reached a verdict came in around 2:30 p.m., after more than three-and-a-half days of deliberation. News media slowly began to converge on the courthouse shortly after, as family members and attorneys made their way up from the Los Angeles area. Several prosecutors from the district attorney's office were present, including Gerald Franklin, who argued the case at the Supreme Court level for the office. Ron Zonen, who had prosecuted each of the early defendants in the case, earlier had passed by a crowd waiting to get into the courtroom, but did enter the courtroom.

Inside, the tension was palpable. A full courtroom sat with anticipation as the judge read over the jury forms, and more than 15 deputies and law enforcement officers, including a member of the gang squad, packed into the courtroom. Some jurors held hands as they sat in the seats they've occupied since mid-May. Defense attorneys Alex Kessel and James Blatt were the last attorneys to enter, and Kessel, who earlier gave Hollywood's mother a hug and dad a handshake on his way to his seat, sat with his head down in the time leading up to the verdict being read by the court clerk.

1. Hollywood, dressed in a gray suit, showed little emotion when the verdict was read shortly after 4:30 p.m., putting his head down as the word "guilty" rang out through the courtroom. Both the Markowitz and Hollywood families showed little emotion on their faces, though members of the Hollywood contingent could be heard crying.

After the jury was polled individually about their decision, the judge scheduled the sentencing portion of the trial and had the courtroom emptied. None of the attorneys had any comment as they left the courtroom, passing in front of several reporters. "We're trying to save someone's life," Kessel said, explaining their adherence to the gag order issued by Judge Brian Hill.

Hollywood, from the get-go, was always called the mastermind behind Markowitz kidnapping and murder. The shooter, Hoyt, is on death row at San Quentin Prison, while Jesse Rugge is serving life in prison, with parole. William Skidmore is out of prison after serving time for his involvement in the kidnapping, and Graham Pressley, who was only friends with Rugge prior the August 2000 episode, spent years in a California youth facility before being released recently. He was convicted as an adult for his involvement in the murder, but sentenced as a youth.

Blatt and Kessel attempted to portray their client as a victim who was convicted in the media before he had a chance to tell his story. Their point certainly is well taken, as the case has

received much media coverage, most notably a 2006 major motion picture, *Alpha Dog*, starring Emile Hirsch as Hollywood's character as well as Justin Timberlake, Bruce Willis and Sharon Stone. *Alpha Dog* portrayed the recently captured Hollywood as a hard-partying, tough-talking drug dealer.

1. But the movie may have caused more problems for the prosecution than the defense. Zonen, the prosecutor in the other related cases, gave his confidential file and notes to movie makers to aid in telling the story, with hopes that the movie would draw attention to the story and to Hollywood's whereabouts, as he had been on the run for four years. Hollywood was captured in the midst of the movie being made, and his attorney, Blatt, said Zonen should be thrown off the case because of his behavior. The motion made it all the way to the California Supreme Court, which eventually determined Zonen did not have to be taken off, but District Attorney Christie Stanley, in a cautionary move, took Zonen off anyway and replaced him with Joshua Lynn, an up-and-comer rumored to be eyeing the DA's seat, which is up for grabs next year. And considering the outcome of the Hollywood case, his prospects of getting that seat certainly seem greater.

The DA's office and Sheriff's Department have spent a great deal of time and money investigating, apprehending, and prosecuting Hollywood. With almost nine years having passed since the murder, witnesses' memories and honesty came into question more than once. Throughout the trial, Lynn ushered in dozens of witnesses, from investigators and authorities to then-teenagers who actually hung out and partied with Markowitz in Santa Barbara. Included in that group was Pressley. In his testimony, he told the jury that Rugge told him that Hollywood was "crazy" and offered Rugge \$2,000 to kill the boy. Pressley said he dug the shallow grave at Lizard's Mouth at the demand of Hoyt.

Chas Saulsbury, a friend of Hollywood's who drove him back to Los Angeles from Colorado after the murder, said Hollywood slowly told him most all the details surrounding the crime. Much of this information Saulsbury got couldn't have come from anywhere else, though defense attorneys claimed the information was in news reports. Saulsbury told of Hollywood's meeting with Hollywood's attorney, Stephen Hogg, during which Hogg told Hollywood he should "dig a deeper hole." Saulsbury said that Hollywood told Rugge and Hoyt what his lawyer had told him, and that Hoyt then volunteered to "do it."

It was Hollywood's gun that was used to kill Markowitz, and he provided Hoyt the vehicle to get up to Santa Barbara, as well as the directions, according to Lynn. Some witnesses testified that Hollywood was aggressive and threatening when the group first arrived in Santa Barbara, telling some to keep their mouths shut.

But, noticeably absent from testifying were two witnesses: Rugge and Hoyt. Though never explained to the jury, Hoyt's absence had an easy explanation: He is in the middle of an automatic appeal with the state Supreme Court because his is a death penalty case. An opening appeal brief is due from Hoyt's attorney in that case by July 14.

Rugge, perhaps the case's most involved individual, also did not testify. Kessel focused on this point during his closing argument. But while the jury could've looked at his absence from the stand and wonder, it could've been a risky move for Lynn to call the man. Rugge perjured

himself in his own trial, allowing him to avoid a murder conviction. (He was, however, convicted on kidnapping.) The court suppressed a confession he gave to detectives during an interrogation following the murder, saying he was more or less deceived into cooperating. So, with that evidence unable to be heard at the trial, he concocted a completely different version of what happened.

In a rare move for a capital murder case, Hollywood took the stand in his own defense. From there he essentially admitted to the jury the simple kidnapping, but said that shortly after he and his crew arrived in Santa Barbara with the boy, the kidnapping was over and Nick was free to go. Several witnesses testified to partying with Nick, that he was smoking marijuana, playing video games and drinking beer — sometimes with Hollywood — and when told he should leave, declined. Hollywood testified that he himself asked the teen if he wanted to go home, to which Markowitz replied, “No, it’s cool.”

1. Hollywood said he had nothing to do with ordering Hoyt to murder the boy, but instead told Hoyt to drive up to Santa Barbara, pick up Markowitz, and bring him home. He said he hadn’t been in possession of the gun for months, but that the gun had been at the home of Hoyt’s grandmother’s house. He testified that it wasn’t until later that Hoyt told him at a party that he had “fucked up” and killed the boy. The argument was witnessed by a few people, but no one heard what the two were yelling about.

Despite the testimony of Hollywood, who Lynn at one point called a “ruthless coward,” the jury believed the evidence put on by Lynn was enough to show them beyond a reasonable doubt that Hollywood was connected to Nicholas’s murder.

The jury’s work is not over, as the 12 will be back Monday morning for the penalty phase of the trial. The court will reconvene at 9 a.m. in Department 14.