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Nicholas Markowitz's parents weep at Jesse James Hollywood's trial

Prosecutor urges jurors to convict the former marijuana dealer. Defense is to resume closing arguments Wednesday.

By Steve Chawkins

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Reporting from Santa Barbara — Seeing images of their slain son's duct tape-bound body projected on a courtroom screen, the parents of 15-year-old Nicholas Markowitz sobbed Tuesday as a prosecutor urged a jury to find Jesse James Hollywood guilty in his death.

"Justice has waited nine years," Joshua Lynn told the jurors. "The time has come."

The dramatic moment came on the first day of closing arguments in the case, which was the basis for the 2007 film "Alpha Dog." Responding to the grisly photos, defense attorney Alex Kessel accused the prosecutor of trying to win a guilty verdict by manipulating the jury's emotions.

"You can't fill the void in the prosecution's case with pictures of Nick Markowitz in the grave," he said.

For most of the day, Lynn tore into testimony from Hollywood, a 29-year-old former marijuana dealer in the San Fernando Valley. "He lied to your faces," Lynn said, "about the small and the large."

The biggest of Hollywood's alleged lies, according to the prosecutor, was his denial that he ordered the teenager's kidnapping and execution to avenge a \$1,200 drug debt owed by the boy's older half-brother Ben.

Four other men have been convicted in the 2000 killing. Hollywood, who fled and was arrested five years later in Brazil, faces a possible death sentence. The boy was snatched off the street near his West Hills home, taken to Santa Barbara and, three days later, shot nine times and buried at a hiking area called Lizard's Mouth.

Hollywood testified that the abduction was spontaneous, an exasperated reaction to months of harassment by Ben Markowitz. In Santa Barbara, Nicholas was free to leave, Hollywood said, until his friend Ryan Hoyt decided on his own to try covering up the boy's kidnapping by killing him.

Lynn scoffed at Hollywood's statement that Nicholas felt safe among his new friends in Santa

Barbara as he smoked pot and played video games with them. He pointed to witnesses who said Hollywood angrily ordered them to keep their mouths shut and to keep Nicholas away from phones. At one point, Lynn said, Hollywood called a friend to ask if he had a closet that could hold a person.

The prosecutor also zeroed in on the testimony of Graham Pressley, who was convicted as a juvenile in the crime and has since been released. Pressley, who dug Nicholas' grave, said in court that Jesse Rugge, a longtime Hollywood friend, told him that he had turned down Hollywood's offer of \$2,000 to kill the boy.

Rugge, who is serving a life sentence for his participation in the murder, did not testify. Neither did Hoyt, who was portrayed by prosecutors as an insecure slacker who owed Hollywood money and was constantly seeking his approval. Hoyt was sentenced to death.

Kessel, one of Hollywood's attorneys, spoke to the jury for an hour at the end of the day and will continue today. Calling the prosecution's case "manufactured," he said some witnesses cited by Lynn had given different testimony in earlier hearings. He said they were influenced by inaccurate depictions in "Alpha Dog" and sensational stories in the media.

Hollywood, who testified he made \$10,000 a month as a dealer, had no reason to kill over a \$1,200 debt, Kessel said.

Hours before the killing, Hollywood conferred with an attorney, a family friend who told him that kidnapping can carry a life sentence. Prosecutors claim that conversation spurred Hollywood to order Nicholas' death.

But Kessel contended that Hoyt acted on his own.

"The prosecutors must sit around a table at night coming up with motives," he said. "But they have no proof. They're saying, 'Trust me.' "

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