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Movie Gives Case a Twist

State high court orders a hearing for murder suspect Jesse James Hollywood over prosecutor's consulting work on a film.

By Steve Chawkins, Times Staff Writer

Siding with murder defendant Jesse James Hollywood, the state Supreme Court has ordered a hearing to determine whether a prosecutor improperly cooperated with the producers of "Alpha Dog," an upcoming movie based on the case.

A ruling in Hollywood's favor could mean that the state attorney general would prosecute the first-degree murder case instead of the Santa Barbara County district attorney's office. "Alpha Dog" likely will be released this fall, said a spokeswoman for New Line Cinema. However, Hollywood's defense attorney, James Blatt, has said he may seek an injunction barring its distribution before the trial, which has not been scheduled.

An alleged drug dealer, Hollywood, 26, is charged with masterminding a plot to kidnap 15-year-old Nicholas Markowitz of West Hills, who was shot and buried in a remote Santa Barbara County camping area. Four other men have been convicted in the 2000 slaying.

Without comment Wednesday, the state Supreme Court ordered the 2nd District Court of Appeal in Ventura to hear arguments that Santa Barbara County Deputy Dist. Atty. Ron Zonen should be booted from the case for acting as an unpaid consultant and sharing investigative files with producer Nick Cassavetes.

Starring Justin Timberlake, Bruce Willis and Sharon Stone, "Alpha Dog" was screened at the Sundance Film Festival last year. According to New Line Cinema, it is "inspired by actual events," although the main character is named Johnny Truelove.

The appeals court last year turned down Hollywood's claim without a hearing. "It's unheard of that you'd turn over everything you have -- trial notebooks, rap sheets, probation reports, everything," said former state Supreme Court Justice Armand Arabian, now a private attorney representing Hollywood in his motion before the state's high court. "I think the people of Santa Barbara deserve better."

Zonen, who prosecuted the four men convicted in Markowitz's death, did not return a phone call seeking comment. However, in court documents, he has said he cooperated with Cassavetes only because he thought the movie might help him find Hollywood, who fled after being charged with murder in 2003. He was apprehended in Brazil last year.

In an interview, Blatt scoffed at Zonen's explanation. "Ridiculous!" he said. "It's one thing to use 'America's Most Wanted' to put out a description during an aggressive search, but to say that somehow, in the nebulous future, a motion picture will obtain apprehension of a fugitive is extremely unlikely."