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Murder Defendant Files to Block Movie About His Case

By Rebecca Beyer, Daily Journal Staff Writer

A defense attorney for an alleged killer filed an injunction Friday against a major motion-picture studio in an effort to block a movie based on a deadly teenage drug deal in Santa Barbara County.

Earlier this month, James E. Blatt, an attorney for defendant Jesse James Hollywood, was successful in removing from the case Santa Barbara Deputy District Attorney Ronald J. Zonen, who shared his case files with the producer of Universal Studios' upcoming film "Alpha Dog."

The movie, which stars Justin Timberlake, is scheduled for release Jan. 12 but may be arrive in theaters as early as December, according to court documents.

Hollywood allegedly organized the 2000 kidnapping and murder of Nicholas Markowitz to avenge a drug debt that the victim's half-brother owed him. Hollywood was on the run for five years before being captured in Brazil.

A date for Hollywood's trial has not been set, although Blatt said it may take place in the summer. Hollywood faces the death penalty if convicted. Four others have been convicted and sentenced for the crimes, one of whom received the death penalty.

"We have two things about this case that are unique," Blatt said. "We have a prosecutor who worked in conjunction with a motion-picture company to create his version of events, and secondly, we have a major feature film coming out prior to trial."

Representatives for Universal Studios were not immediately available for comment.

Blatt acknowledged there are "legitimate constitutional issues" on both sides of the case.

"The defense is well aware that freedom of expression and speech may be the most safeguarded of constitutional rights," he said. "At the same time, we have the presumption of innocence and a defendant's right to receive a fair trial."

Blatt said the film depicts Hollywood in "an extremely negative light."

According to court documents, "Johnny Truelove," the character in "Alpha Dog" that represents Hollywood, is "manipulative, vicious, selfish, and without any redeeming character traits whatsoever" and "morally responsible for the crimes depicted in the motion picture, and legally guilty for the crimes depicted in the motion picture."

Blatt said he is unsure how the court will rule although the complaint says that "plaintiff is likely to succeed on the merits because plaintiff's ability to receive a fair trial ... outweighs any potential infringement of defendants rights ... which might result from a delay in releasing the motion picture 'Alpha Dog' until after plaintiff's capital murder prosecution."