

PRODUCER-ATTORNEY COLLABORATION ENDS

By SCOTT HADLY- NEWS-PRESS SENIOR WRITER

Filmmakers don't want prosecutor to get in trouble over Hollywood case.

In a new declaration filed in the murder and kidnapping case against Jesse James Hollywood, the maker of the yet-to-be released film about the crime said his co-producer stopped cooperating with Mr. Hollywood's defense attorney recently because he didn't want to get Santa Barbara County prosecutors in trouble.

"Alpha Dog" director Nick Cassavetes said in a declaration given to Mr. Hollywood's defense attorney that his co-producer, Michael Mehas, worried that Senior Deputy District Attorney Ron Zonen might be prosecuted because of sharing rap sheets, probation reports and witness phone numbers with the filmmakers.

"Mr. Mehas indicated to me he is reluctant to continue to cooperate with Jesse James Hollywood's attorney (James Blatt of Encino) due to his fear that such cooperation may lead to criminal charges filed against Mr. Zonen," Mr. Cassavetes said.

Mr. Zonen, who was never paid for any of his help, was enthusiastic about the film, he said. "I do not believe he ever said no to any request I made," said Mr. Cassavetes, whose film stars Sharon Stone, Bruce Willis and Justin Timberlake and is set to be released early next year.

The film is based on the August 2000 kidnapping and slaying of 15-year-old Nicholas Markowitz. Mr. Hollywood, 25, has pleaded not guilty to orchestrating the crime. If convicted, he faces a possible death sentence.

Prosecutors allege that Nicholas' death was the culmination of an escalating feud between Mr. Hollywood and the teenager's older half brother over a \$1,200 drug debt. After the teen's body was found near Lizard's Mouth off West Camino Cielo, Mr. Hollywood disappeared. He and four others were indicted for the killing by a Santa Barbara County grand jury.

While Mr. Hollywood was on the run, three of the co-defendants were tried and convicted, and one pleaded guilty. All are now serving time; Ryan Hoyt, the convicted triggerman, is on death row. It wasn't until after the last of those cases was complete that Mr. Zonen spoke with Mr. Cassavetes. During their first meeting, Mr. Zonen agreed to cooperate and joked that he hoped the filmmaker would cast a handsome actor to play the district attorney in the film.

One of the allegations against Mr. Zonen was that he turned over nude photographs of the co-defendants that were taken during strip-searches. "I do not know if it was a strip-search photo, but I saw photographs of people without clothes," said Mr. Cassavetes, who used the pictures to help create scenes he shot for the movie.

He said he and Mr. Zonen talked about the prosecutor's impressions of the young men involved in the case. "Mr. Zonen told me overall he felt that these were a bunch of stoned, dumb guys," Mr. Cassavetes said.

Mr. Zonen never placed restrictions on how the filmmakers used information they obtained from him, and he helped Mr. Cassavetes get in touch with key witnesses. "I told him I wanted to know everything," Mr. Cassavetes said.

Mr. Blatt filed Mr. Cassavetes' declaration to support the lawyer's previous motion, saying that Mr. Zonen's cooperation with the filmmakers amounted to "unprecedented misconduct" and should disqualify him from the case. The graphic movie also portrays Mr. Hollywood as "extremely manipulative, vicious, selfish and without any redeeming character traits," Mr. Blatt said.

But prosecutors have argued that even if everything Mr. Hollywood's defense attorney claims is true, it would not interfere with his right to a fair trial. Effective jury selection could ensure that no one who has seen the film will be able to serve, according to prosecutors.

Although Mr. Cassavetes described an unusual level of cooperation among him, his co-producer and Mr. Zonen, his statements also seem to support Mr. Zonen's contention that he had hoped the film would lead to the capture of Mr. Hollywood, who was a fugitive until March of this year.

"Mr. Zonen said that he was very interested in finding Mr. Hollywood," Mr. Cassavetes said in the declaration. "He asked whether I intended to identify Jesse James Hollywood at the end of the film and if I intended to show his photograph. Mr. Zonen never requested that I do so."

In a previous motion, Mr. Zonen conceded that he may have inadvertently shared information he shouldn't have -- including rap sheets, witnesses' phone numbers and probation reports -- but that it doesn't amount to bias or establish a conflict of interest that would preclude him from trying the case. His cooperation with filmmakers was an effort to draw attention to the case and possibly lead to Mr. Hollywood's capture, Mr. Zonen has said.

The California attorney general is reviewing the request to take the District Attorney's Office off the case, and Judge Brian Hill is expected to rule on the matter in early November.

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