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## **Scene of a crime: Theater packed for "Alpha Dog," film based on 2000 murder**

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Matt Alcantar didn't think the Nicholas Markowitz murder case should have been made into a movie and, after seeing the film, wants Jesse James Hollywood to get the death penalty. Below, lines formed early Friday outside Metro 4 Theatre on State Street for the opening of "Alpha Dog," which is based on the high-profile murder of a 15-year-old boy in the Santa Barbara hills.

Residents packed a downtown theater Friday to catch the opening of "Alpha Dog" -- many interested in how the fictional account would portray the brutal slaying of a teen in the Santa Barbara hills and curious what the legal brouhaha surrounding the release of the film, based on the high-profile Jesse James Hollywood homicide case, was all about.

Waiting in line for the matinee, Nancy Hubert said she'd been closely following media coverage of the murder case and how Mr. Hollywood's defense lawyer wanted to delay the release of the film until his client's death penalty trial is over.

"I've been following this because it happened here," Ms. Hubert said. "I don't think everyone in Santa Barbara will go to see it and I've heard they've changed the names -- although everyone knows what this movie is all about. Probably trying to fight the release made it more interesting for people to see and brought more attention to it."

"Alpha Dog" has become the first major motion picture in the U.S. based on a criminal case to be released before the trial in that case even begins.

The names and places have been changed -- but for the most part, the script closely adheres to the prosecution's version of what happened during the kidnapping and murder of 15-year-old Nicholas Markowitz in August 2000.

The town of Palm Desert was substituted for Santa Barbara and the Lemon Tree Inn on State Street, where the boy was held captive, became the Caliente Tropics Hotel. The parties, fights and sex scenes were exaggerated.

But the details remained true to court testimony of how Nicholas was snatched from the streets of West Hills, called Claremont in the movie, over his half brother's \$1,200 drug debt. From there, he was kept in Santa Barbara at various locations before he was taken to East Camino Cielo, where he was led to a pre-dug shallow grave, hit in the head with a shovel and pumped full of bullets. And even though it was filmed out of the area, the murder scene in the movie eerily resembled the place where Nicholas was killed.

The film, based on the files provided by the Santa Barbara County District Attorney's Office, highlights the suburban underworld of drug dealing and how a feud over a debt spiraled out of control, culminating with the murder of the teen to cover up evidence of his kidnapping.

At 20, Mr. Hollywood became the youngest man ever listed on the FBI's Most Wanted list. He remained on the lam until last year, when he was captured in Brazil -- Paraguay in the movie. His four co-defendants were convicted between 2001 and 2003, with Ryan Hoyt, at 23, becoming one of the youngest men on San Quentin's death row.

James Blatt fought hard to delay the movie's release, insisting that to release it before Mr. Hollywood's trial begins would irreparably poison viewers' minds and make it virtually impossible for him to receive a fair trial. The federal courts instead upheld the entertainment industry's First Amendment rights to publish without prior restraint.

In the film, Mr. Hollywood, who is now 26, is depicted as an ambitious young drug dealer and ringleader of a group of teens who idolize the dangerous lifestyle of gangsters. His character is played by Emile Hirsch.

Walking out of the theater Friday afternoon, Brian Gibson commented: "It was pretty accurate, from what I've read in the paper. I think Hollywood was actually portrayed a little softer than how he has been in the media. But I don't know about a fair trial."

Andrew Alire characterized the film as "shocking" and "real-life gritty," but also as "amazing."

Matt Alcantar -- who frequently hikes at Lizard's Mouth and has seen the boulder where Nicholas' parents created a makeshift gravesite -- didn't think the case should have been made into a movie.

"It's rude to the boy's family to turn it into a movie and to make money off of it," Mr. Alcantar said. "It's just not right."

In regard to Mr. Hollywood, he said: "I hope he gets what he deserves. He deserves the death penalty. He could probably forget about getting a fair trial."

These are the kinds of comments that Mr. Blatt was concerned about. However, legal experts point out that potential jurors who saw the movie just need to be screened out.

"The crime is so horrific that for moviegoers the natural reaction is not only to find him guilty, but they want his head on a platter," said Laurie Levenson, professor at Loyola School of Law and a former federal prosecutor. "These are the people who won't be jurors."

Extensive questioning and perhaps even a delay in trial would remedy any prejudicial pretrial publicity, Ms. Levenson said.

"It may be very compelling and very linked to the prosecution's case -- but so was the Martin Bashir special and Michael Jackson walked away with an acquittal. And there certainly was a lot of pretrial publicity for O.J. and he walked away with an acquittal. I'm not convinced movies make much of a difference in the courtroom."

The film almost has a documentary feel to it, with a narrator interviewing the characters based on Mr. Hollywood's father, Jack Hollywood, played by Bruce Willis, and on Nicholas' mother, Susan Markowitz, played by Sharon Stone, at key points.

Mrs. Markowitz told the News-Press she thought the movie accurately portrayed her anguish and turmoil and captured the true charm and innocence of her son, played by Anton Yelchin.

"There's a couple of scenes where I was able to cry -- but for the most part, I'm still removed from reality as a protection," said Mrs. Markowitz, who attempted suicide following her son's murder. "The movie really shows what a tragedy like this will do to a person. . . . I miss my son. I just want to tell Nick I love him."

The movie was written and directed by Nick Cassavetes -- most recently known for his Denzel Washington thriller "John Q" -- who intended the film to be a commentary on how today's parents need to be more involved with their children's lives.

In his movie debut, Justin Timberlake played the character of Jesse Taylor Rugge, who was found innocent of murder but guilty of kidnapping and is serving out a seven-year to life sentence at Pleasant Valley State Prison in Coalinga. In the film -- as in real life -- this character befriends the teen and tries to talk the others into taking the boy back home. But then he does not seek help when it becomes clear the teen will be killed.

Shawn Hatosy played the character of Mr. Hoyt, who as a servant to Mr. Hirsch's character came across as a sympathetic figure in the beginning -- but resurfaced as a cold-blooded murderer at the end.

Mr. Hoyt called his grandmother from death row on Thursday after seeing advertisements for the national release of the film.

"The commercials had been running and running," said Ann Thomas, who maintains her nephew is innocent. "He called and said 'Nana, I just wanted to call and tell you that I know you're seeing all of this,' and that he felt sad about it and terrible that she had to keep seeing it."