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Both sides rest in Hollywood trial : Closing arguments set for Tuesday; jury could have case on Thursday

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Jesse James Hollywood left the witness stand for the last time Friday hoping jurors believe that any responsibility he had in the killing of Nicholas Markowitz ended three days before the 15-year-old was shot dead in the hills west of Santa Barbara.

Testifying in his own defense in his capital murder trial, Mr. Hollywood, 29, said that when he left the home of Richard Hoeflinger, where Nicholas was held after being kidnapped, the boy was free to go.

"He was safe from what I saw," said Mr. Hollywood.

This line of questioning by prosecuting attorney Joshua Lynn raised several objections from the defense. Mr. Hollywood asked Mr. Lynn to repeat himself many times, and one juror became visibly exasperated.

Mr. Lynn asked whether Mr. Hollywood intended to make money off of Nicholas' murder.

"That's ridiculous," said Mr. Hollywood.

Mr. Hollywood did say that he feels "morally responsible for what happened," calling it a "terrible thing."

Mr. Hollywood took part in kidnapping Nicholas with friends because Ben Markowitz, the victim's brother, owed him about \$2,500.

Mr. Lynn asked Mr. Hollywood whether he blames Ben Markowitz for the situation in which he is today, and Mr. Hollywood said no.

Once Mr. Hollywood left the stand, the defense called Paul Kimes, an investigator with the District Attorney's office, for another round of questioning.

Defense attorney Alex Kessel asked Mr. Kimes several questions about the investigation of the case, and Mr. Kimes was forced to respond several times that he had not investigated various pieces of evidence.

Mr. Kessel became so argumentative that at one point, Superior Court Judge Brian Hill asked him to adjust his tone. Most of the courtroom laughed, including Mr. Kimes.

"This isn't funny," exploded Mr. Kessel at the witness. "My client is on trial!"

Judge Hill again told him to adjust his tone and ask his question.

Mr. Kessel's final question to Mr. Kimes was, "In such a trial, who holds the burden of proof?"

"The prosecution," responded Mr. Kimes.

Under cross-examination by Hans Almgren, however, Mr. Kimes explained that the Santa Barbara County Sheriff's department initially investigates the case, and he simply does what is asked of him by the District Attorney's Office should a case reach that level.

The jury was dismissed for the weekend at 11:50 a.m. and will return at 9 a.m. Tuesday to receive instructions.

Tuesday will also mark the beginning of closing arguments, which are scheduled to end Wednesday.

Jury deliberations are set to begin Thursday.

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