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## **Prosecution rests its case in the Jesse James Hollywood trial**

**ANGEL PACHECO, NEWS-PRESS STAFF WRITER**

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The prosecutors pushing for Jesse James Hollywood to be put to death rested their case Tuesday, and the 12-person jury tasked with deciding his guilt or innocence could begin deliberations next week.

Mr. Hollywood, 29, is accused of kidnapping Nicholas Markowitz, 15, from the San Fernando Valley and ordering his murder over a \$1,200 drug debt owed to the defendant by the victim's half-brother, Ben Markowitz. Nicholas was shot dead in the early hours of Aug. 9, 2000, in the Santa Barbara foothills by Ryan Hoyt, an associate of Mr. Hollywood now sitting on death row.

Superior Court Judge Brian Hill, who is presiding over the hearing, told jurors Mr. Hollywood's attorneys will begin calling their witnesses on Monday and the deliberation process could begin June 26 or early the following Monday, June 29.

District Attorney's Chief Trial Deputy Joshua Lynn and Senior Deputy District Attorney Hans Almgren called their first witness on May 18. Since then, the summoned witnesses have included Ben Markowitz, Mr. Hollywood's former girlfriend Michelle Lasher and Graham Pressley, who dug Nicholas' shallow grave. A jury found Mr. Pressley guilty of second-degree murder and he was remanded to the custody of the California Youth Authority until the age of 25. He has since been released from custody.

Among the potential witnesses who appeared on the prosecution's list but were never called to the stand were Mr. Hoyt and two more of Mr. Hollywood's associates convicted in connection to the case: Jesse Rugge and William Skidmore.

Mr. Rugge is serving a seven years to life in prison sentence for kidnapping for ransom or extortion in connection with the case.

Mr. Skidmore, who was in the van into which Nicholas was spirited when he was abducted and taken to Santa Barbara, and who pled guilty to kidnapping and robbery, was sentenced to nine years in prison.

Before prosecutors rested their case Tuesday, they called to the stand Dr. Robert Anthony, a forensic pathologist with the Santa Barbara County Sheriff's Department. A doctor who no longer works with the county conducted an autopsy Nicholas' body, and Dr. Anthony reviewed that doctor's report and testified in his stead.

Nicholas suffered nine bullet entrance wounds to the front of his body, and an additional six exit wounds in the back, according to testimony delivered during direct examination.

The highest blow Nicholas took was to his lower, left chin, and the bullet struck the teen's brain but never exited the body, Dr. Anthony said. This injury would have immediately caused the victim to lose consciousness and start the "dying process."

A bullet additionally struck Nicholas in the neck and hit the base of his skull, causing a fragment of the slug to go into the victim's brain, according to the doctor. The rest of the gunfire hit the boy in the torso, causing injuries to both lungs, his liver and stomach.

The shot that passed through Nicholas' brain would have been enough to kill the boy, but Dr. Anthony added many of the other wounds could have been fatal as well and contributed to blood loss.

Nicholas' hands had been bound together behind his back, and judging by the paths the bullets took through the body, it's reasonable to assume he had been bound in this fashion before being shot, Dr. Anthony testified. The placement of entrance wounds pointed to a single shooter, and Dr. Anthony described the pattern made by bullet wounds -- making a rough line ending at Nicholas' chin -- as "muzzle climb," meaning that with each shot fired, the muzzle of the weapon jerked up. However, the witness said there was no way to tell in what order the wounds were sustained.

While the autopsy additionally uncovered marijuana and alcohol in Nicholas' system, the doctor said it could not be determined how much marijuana the teen had consumed, and much of the alcohol was likely produced as the body decomposed.

During cross examination by the defense, Dr. Anthony testified no other drugs had been detected in the system, including Valium (a drug Nicholas was known to take). Coroners additionally did not locate any injuries such as bruises that would have indicated Nicholas was beaten before his murder, according to testimony.

Mr. Hoyt used a Tec-DC9 -- modified to be fully automatic -- to gun down Nicholas, and investigators uncovered the murder weapon buried along with the victim. Of the 1,000 or so autopsies involving shooting victims Dr. Anthony has been involved in, he said, guns being uncovered with bodies is "exceedingly rare," and he placed it in the "1 percent category."

The prosecution also briefly called to the stand Lt. Ronald Legault, of the Santa Barbara County Sheriff's Department. The witness had travelled to Los Angeles International Airport on March 5, 2005, to pick up a recently arrested Mr. Hollywood.

The defendant allegedly went on the lam after the murder of Nicholas, only to be captured in Brazil in 2005. However, Judge Hill stated outside the presence of the jury on Tuesday he did not want witnesses getting into Mr. Hollywood's living conditions in Brazil or having a child with a woman while in the country.

Judge Hill dismissed the jury before noon, and they won't be back until Monday morning. Among the witnesses defense attorneys James Blatt and Alex Kessel may call next week is Nick Cassavetes, director of the movie "Alpha Dog," which fictionalized the murder of Nicholas. Mr. Cassavetes interviewed some of the witnesses for the film and even paid some of them for their input.

Another possible witness is Deputy District Attorney Ron Zonen, who was the original prosecutor on the case. He served as a consultant to the filmmakers and has since been removed from the case by Santa Barbara County District Attorney Christie Stanley. His participation in the case raised objections by defense attorneys but was eventually ruled permissible by the California Supreme Court, but he was subsequently replaced anyway.

Prior to the defense putting on its case, attorneys for both sides will be back in the courtroom at 1:30 p.m. today to take up a number of issues.

Mr. Kessel plans to argue for the charge of kidnapping for purposes of ransom or extortion to be dismissed.

e-mail: [apacheco@newspress.com](mailto:apacheco@newspress.com)