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After weeks of defending their client's innocence, attorney for convicted murderer Jesse James Hollywood on Monday switched focus to convincing jurors to reject a death sentence and instead recommend sentencing the notorious defendant to life in prison without parole.

Those are the only two sentencing choices available to the jury of nine women and three men that last week convicted Mr. Hollywood of first -degree murder, kidnapping and special allegations.

While defense attorneys called to the stand several of Mr. Hollywood's family members and friends to testify about the defendant's human side, prosecutors pushing for a death sentence called to the stand relatives of Nicholas Markowitz, the teenage victim in the case.

Attorneys on both sides presented opening arguments stating their positions, and when the trial resumes at 9 a.m. today, both sides will be able to present closing arguments before jurors once again enter deliberations.

Nicholas was kidnapped from the streets of the San Fernando Valley on Aug. 6, 2000, by Mr. Hollywood and two of his associates, and another associate of Mr. Hollywood's shot the victim dead three days later in the foothills of Santa Barbara.

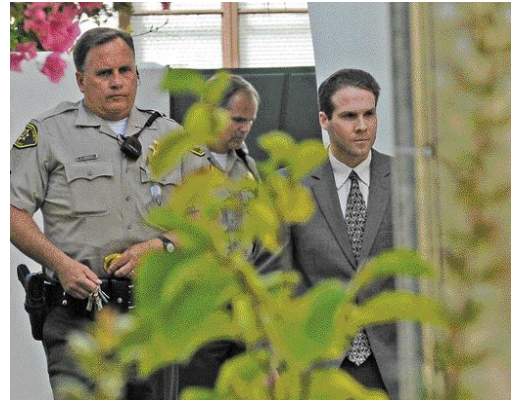
Four codefendants were convicted in connection with the case. The shooter, Ryan Hoyt, sits on California's death row.

Nicholas died about a month shy of his 16th birthday. At the time of his death, he had earned his driver's permit, the boy's mother, Susan Markowitz, recalled under direct examination by Chief Trial Deputy Joshua Lynn of the Santa Barbara District Attorney's Office.

The permit was posted onto the refrigerator at the Markowitz home, but it remained there for a long time.

"Instead of a car, he has a coffin," Mrs. Markowitz said.

If Nicholas had lived, he would have been 24 years old by now, but Mrs. Markowitz testified she can't picture her son as that age. Instead, when the mother meets a 24-year-old, she asks for a hug just to feel what it could have been like to be embraced by her son.



Jesse James Hollywood is walked into a Santa Barbara courtroom last week just before being pronounced guilty of murder and kidnapping charges.

STEVE MALONE/NEWS-PRESS

On the day she was told Nicholas was dead, she recalled the officers who arrived at her home to break the news were dressed in black suits and carried the "smell of death."

"At that moment, I died," said Mrs. Markowitz, adding she had to "detach" herself simply to survive.

Also testifying for the prosecution was the teen's step-sister, Leah Goyanes, as well Nicholas' dad, Jeff Markowitz.

While Jeff Markowitz was on the stand, Mr. Lynn played a home video of Nicholas' Bar Mitzvah, which was celebrated just before he turned 13. The video shows Nicholas discussing scripture that focuses on justice and the right to a fair trial, but Superior Court Judge Brian Hill did not allow that portion of the audio to be played in front of the jury.

"Treat other people as you would like to be treated," Nicholas said in the video, reciting the Golden Rule. "That is a rule I will try to live by."

Prosecutors argued throughout the trial that Nicholas was murdered over a \$1,200 drug debt owed to Mr. Hollywood by the victim's older half-brother, Ben Markowitz.

Under direct examination from Mr. Lynn, Ben Markowitz recalled believing Nicholas had run away and was staying with friends when he disappeared before his death. However, he found out the truth when he received a call at 6:30 a.m. one morning from his aunt. Simply being told Nicholas had been found, Ben remembered feeling relieved at that point and planned on going back to bed until his aunt finished her thought: "They found Nick and he's dead."

In the back of his mind, Ben Markowitz believed his brother was dead because of him, and Jeff Markowitz had asked Ben not to come to the funeral out of fear of an argument breaking out.

"Pretty much my family just cut me off," said Ben Markowitz, who added the relationship would not be revived until roughly two and a half years ago.

Ben has been portrayed as a violent gangster throughout the proceedings, even admitting to violence when he took the stand, but as he recalled his little brother looking up to him, the man fought back tears.

"It's just that I was such a piece of sh-- that I didn't respect that," he said.

Ben Markowitz, however, was not the only big brother in the courtroom admired by a younger sibling.

"He's my role model ... I know he didn't do it," said 21-year-old Joseph Patrick "J.P." Hollywood, who was called to the stand by defense attorney Alex Kessel. A common bond the brothers shared was baseball, and Joseph Patrick reported his brother was always there with advice.

While the brothers did partake in the occasional sibling scuffle, sometimes resulting in underwear being rubbed in faces, the witness said he didn't take too many shots from Mr. Hollywood growing up.

Asked by Mr. Kessel if he loved his brother, Joseph Patrick Hollywood responded, "More than you'll ever know."

Mr. Kessel displayed multiple photos of the brothers interacting as children -- one of them depicting a young Mr. Hollywood exchanging grins with his little brother, who was sitting on the lap of Jack Hollywood, their father.

The Hollywood brothers are separated by eight years, testified their mother Laurie Haynes. Growing up, Mr. Hollywood had been very supportive of Joseph Patrick, she said.

"You're 10 times the hitter I was," Mr. Hollywood would reportedly say to his little brother about his baseball abilities.

Another photo showed an 11-year-old Mr. Hollywood standing side-by-side with a pack of 12- and 13-year-olds on an all-star, little league baseball team. Despite the fact that the top of Mr. Hollywood's head didn't reach the shoulders of some of his teammates, his pitching prowess earned him a spot in the lineup.

Additionally, Ms. Haynes did not classify her son as a violent person.

"Jesse never even got into a fight, ever," she told jurors.

Growing up, Mr. Hollywood was always home for dinner, and even when he moved into his own home at 18, he would visit his parents often, said Ms. Haynes, who is no longer married to Jack Hollywood. From a young age, Mr. Hollywood had also been fond of animals, owning multiple dogs, an iguana and even a ferret.

"I think every living being has values, my son included," Ms. Haynes said.

Ms. Haynes had become aware of Mr. Hollywood taking Ben Markowitz into his home at one point, and she said this relationship had caused some of her son's friends to separate themselves from Mr. Hollywood. However, Mr. Hollywood had told his mom that Ben had been receiving a bad rap.

After an eventual falling out, Ben reportedly threatened the Hollywood family, but Ms. Haynes said her son had tried to shield his family from the situation.

Multiple family members and friends spoke of Mr. Hollywood as a caring, non-violent person with a love for animals.

A Santa Barbara County Sheriff's Department deputy assigned to Mr. Hollywood's security detail even testified that Mr. Hollywood has been very respectful and cordial throughout the trial.

Although a map of the jail, which included exits, was located in Mr. Hollywood's cell after he was apprehended, the defendant has not made any active attempts to escape.