

## **Jurors get Hollywood murder case ; Deliberations begin today in case that could bring a death sentence**

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July 2, 2009 7:29 AM

The case of Jesse James Hollywood, accused of masterminding the 2000 kidnapping and slaying of a San Fernando Valley teen over a drug debt, is now in the hands of jurors.

After more than eight hours of final arguments from defense attorneys and prosecutors on Wednesday, Superior Court Judge Brian Hill handed the case to the 12-person jury, made up of three men and nine women who were empaneled on May 12. Jurors have roughly a month and half worth of testimony to consider, as well as nearly nine years of case history to mull over, but they elected to hold off on picking a foreperson and entering deliberations Wednesday.

Before attorneys relinquished control to the high-profile case that could lead to a death sentence for Mr. Hollywood, each side got its final say.

Prosecutors allege Mr. Hollywood orchestrated the kidnapping and murder of 15-year-old Nicholas Markowitz over a drug debt owed to Mr. Hollywood by the victim's half-brother Ben Markowitz.

However, when Mr. Hollywood got on the witness stand last week, he claimed his friend, Ryan Hoyt, decided on his own to kill Nicholas in the foothills above Santa Barbara in the early hours of Aug. 9, 2000.

While it was a statement that left Joshua Lynn, chief trial deputy in the Santa Barbara County District Attorney's Office, scratching his head, it made perfect sense to lead defense attorney James Blatt. Mr. Blatt described Mr. Hollywood as a "thinking person" who was focused on his marijuana business. At 20 years old, Mr. Hollywood had his own home, and Mr. Blatt classified the man as not being the type to react quickly. Even after Ben Markowitz shattered the windows of Mr. Hollywood's home and allegedly killed his dog, Mr. Hollywood's response was to see his attorney and attempt to move.

On the other hand, the defense attorney described Mr. Hoyt as a polar opposite. No longer in little league baseball and no longer a high school varsity star, Mr. Hoyt was facing the realities of life.

"He's failing," Mr. Blatt said.

"Those glory days of high school, those don't last forever," the attorney later added.

However, Mr. Hoyt still craved acceptance, going so far as to create stories. Mr. Hoyt claimed that he was going to be a Versace model and that he had become a Navy Seal -- a story he took so far his pals threw him a going-away party, Mr. Blatt said. He was obsessed with attention, "and

that is a driving force."

On Aug. 8, 2000, Mr. Hollywood tapped his friend to travel to Santa Barbara to pick up Nicholas and return him home, said Mr. Blatt, recounting testimony. And while he eventually arrived at the motel room where Nicholas had been partying, the trip took a couple hours longer than it should have, the attorney told jurors.

Mr. Hoyt was aware that Ben Markowitz had already been threatening Mr. Hollywood, and Mr. Blatt said this was his chance to solve the problem his friend found himself in.

"He had the opportunity to be that Navy Seal," Mr. Blatt said.

Mr. Hoyt had been known among his friends as being jobless, broke and in debt to Mr. Hollywood.

"I did it for my boys," Mr. Hoyt allegedly told Casey Sheehan, another of Mr. Hollywood's associates. "I did it for my family. I cleared my debt."

Toward the end of his statement, Mr. Blatt posed a question to the jury: "Who had the most to gain? Who had the most to lose? Think about it."

Continuing his portion of closing arguments from Tuesday was Mr. Hollywood's co-defense attorney Alex Kessel, who went on the attack against what he called the most damaging statement his client faced. This involved attacking the credibility of the man who made the statement: Graham Pressley, who as a 17-year-old dug Nicholas' grave at Lizard's Mouth and was convicted of second-degree murder.

Mr. Pressley testified he was told by Jesse Ruge, another of Mr. Hollywood's associates also convicted in connection with the kidnap and murder, that Mr. Hollywood had asked him to kill Nicholas. However, Mr. Kessel pointed out the only person anyone ever heard this from was Mr. Pressley, an accomplice in the case. By law, a statement by an accomplice that incriminates a defendant must be corroborated by other evidence.

Mr. Pressley was tried twice, but he did not testify that Mr. Ruge said, "I did the kid for Hollywood" until the second trial, Mr. Kessel explained. Mr. Pressley additionally omitted this conversation from police statements he testified as being truthful.

Mr. Kessel additionally questioned why Mr. Lynn never called Mr. Ruge to the stand, saying this allowed the prosecutor to argue that Mr. Hollywood ordered Mr. Ruge to keep Nicholas in Santa Barbara.

"Pure speculation," the attorney said.

Carrying the burden of proof, Mr. Lynn got one last chance to sway the jury Wednesday after the two defense attorneys completed their statements. While the defense attorneys had told jurors prosecutors were trying to deceive them with the use of testimony taken out of context, Mr. Lynn assured jurors everything he had argued was in the trial's transcript and he urged jurors to check for themselves.

He showed jurors a photo of Mr. Hoyt and asked if he looked like an independent thinker. Mr. Hoyt had been very close to the Hollywood family, and the man would go on vacation with them at times. Mr. Lynn speculated Mr. Hoyt may have felt a debt to the Hollywoods, but he questioned why he would have repaid them by killing a 15-year-old using a gun traceable to Mr. Hollywood.

Mr. Lynn further cast doubt on Mr. Blatt's theory of Mr. Hoyt's motive, questioning how going against Mr. Hollywood's orders would elevate him in the group.

Mr. Hollywood soon went on the run after the slaying, winding up in Brazil, where he lived until his capture in 2005.

"He had a good reason to run and it was because he was guilty as sin," Mr. Lynn said.

Mr. Lynn said it was Hollywood alone who had the motive and he urged jurors to come back with guilty verdicts.

"The evidence demands that, and justice demands that."

Opening statements began May 15, and since then, the courtroom has been stuffed to capacity on multiple occasions with media, members of the public, affected family members and others who wanted to catch a glimpse of high-profile witnesses like Mr. Hollywood.

And although the case wound down Wednesday, the day was anything but uneventful.

Before jurors ever entered the room, Nicholas' father Jeff Markowitz voluntarily left the room after Superior Court Judge Hill expressed concerns about his conduct. On Tuesday, Mr. Lynn presented Nicholas' autopsy photos, which brought Mr. Markowitz to tears, a concern to the court because it could influence jurors.

And before jurors were seated Wednesday, Mr. Markowitz stood up in the courtroom and said, "It's been nine years," Judge Hill reported.

"We're not going to take a chance that there's a second such outburst," the judge said.

The proceedings broke for lunch just before noon, and as usual, jurors were sequestered inside the building while the public lined up outside so they could get a seat when hearings resumed. However, paramedics and firefighters soon arrived on the scene and went inside.

While paramedics eventually left wheeling an empty stretcher, a sheriff's deputy entered the building and pushed an empty wheelchair into the room where jurors were stationed. All 12 jurors and the three alternates were back in the courtroom after lunch.

And at the end of the day, Judge Hill told attorneys that a sheriff's deputy had been given a message indicating Mr. Hollywood's aunt had spotted a threat from Ben Markowitz.

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