

45. The Prosecutor

(In the District Attorney's office. #1 is in a conference room going over a file. #2 enters.)

- #2: I assume there's a good reason for calling me in on a Saturday.
- #1: Why, did I take you from something?
- #2: Nothing big, just my private life.
- #1: You work for the DA. You don't have a private life.
- #2: I keep forgetting that.
- #1: Don't worry, we'll make it up to you.
- #2: When?
- #1: Uh...let's see...never.
- #2: Sounds fair.
- #1: Look, I'm sorry, but I got called in on this, too. I was told it couldn't wait till Monday.
- #2: So – what's up?
- #1: Ever heard of Franklin Marshall?
- #2: The oil guy?
- #1: That's the one.
- #2: Didn't he just die or something?
- #1: Not "or something." He's very dead.
- #2: And what, an autopsy come back with results that turned out to be suspicious?
- #1: Why did you say that?
- #2: Because anytime one of these guys who has more money than God, dies in this town, the autopsy's almost always suspicious...to someone. Anyway, I heard this guy had about ninety different types of cancer. All fatal.
- #1: He did, but that's only part of it.
- #2: So, give me the front page.
- #1: OK, we got an eighty year old, almost billionaire, who dies, leaving behind a daughter and a wife.

- #2: What number wife?
- #1: Four.
- #2: Is she young?
- #1: That's a rhetorical question, isn't it?
- #2: Mostly. How young?
- #1: Twenty-five.
- #2: Ouch!
- #1: Anyway, little Miss twenty-five informs the police that according to the old man's doctors, he wasn't supposed to die yet and she wants an autopsy.
- #2: OK, so far so ugly, and the autopsy shows...
- #1: The autopsy shows some drugs. When the police tell this to the grieving widow, she drops the news on them that the daughter was with him, alone, when he died.
- #2: Oh, I was wrong, this isn't ugly, it's...
- #1: Really ugly? But wait, it gets better. The cops talk to the daughter. And she tells them, yes, she was with her father. He said he was in incredible amounts of pain and could she get him his pills. She did. Then she filled a glass of water, he took the pills, and then he died. *(Hands the folder to #2.)*
- #2: *(Opens it and starts to read.)* It sounds like a bad soap opera.
- #1: Well, here's the kicker. The DA wants to charge the daughter.
- #2: With what?
- #1: Maybe assisting a suicide.
- #2: *(Pause)* He's nuts. It'll never fly.
- #1: Why?
- #2: Big reason – no motive. *(Indicates folder.)* It says here, daughter and stepmom will get about 400 million apiece. That would be a motive if it wasn't for the fact that the daughter is president of the old man's company and pulling in a seven figure salary. He wasn't long for this world anyway, so why hurry along the inevitable? Plus

- the autopsy is inconclusive. The drugs found were his prescription.
- #1: So why do you think stepmom is pursuing this?
- #2: She probably wants a little more of the pie and is trying to cause trouble. Nothing more. My opinion is that we should walk away from this one. *(Hands the folder back.)*
- #1: Well thanks for your opinion, but we didn't call you in for that. The DAs going ahead with this and he wants you to prosecute.
- #2: Well, good for him. That makes one of us.
- #1: What are you saying?
- #2: I'm saying, forget it. No way! This case is a loser.
- #1: Well the DA doesn't agree with you. He's got a bug about this case and he wants it prosecuted.
- #2: Then let him do it. Oh, I forgot, the man hasn't walked into a courtroom since Lincoln was president. Look, he's got a thousand lawyers in this office. Can't he get one of them?
- #1: No, he wants you.
- #2: Why?
- #1: He said he likes your courtroom flair. He also feels this case is similar to the Perez case. You won that one big.
- #2: This is nothing like the Perez case. Those kids hired someone to shoot their parents for their inheritance.
- #1: And you don't think the two have any similarities?
- #2: None. Also, we're going to get into issues like assisted suicide, the right to die with dignity, things that'll keep this case going for months and they're obviously not true. It'll...*(Just stops talking.)*
- #1: What?
- #2: I'm so stupid. I know why he's so hot on this. It's an election year. He's hoping this high-profile case will stay hot right through election day. He'll then be the DA who is tough on the rich and the poor.
- #1: Wait, you're blowing this...

- #2: And I'm the flavor of the month. I won the Perez case and the media really likes me. *(Pause)* Tell me I'm wrong.
- #1: I can't, but I can't say you're 100% right either.
- #2: And you know what else, if this does go past election day, the outcome won't mean a thing. We'll put that woman through a lot of grief needlessly, waste months of my time and a lot of taxpayer money on a case that's unwinnable.
- #1: You sound pretty sure of yourself.
- #2: I'm very sure of myself.
- #1: Good, because if I tell this to the boss, you probably won't have to worry about this case...or any others, for that matter. You know how he is. He doesn't like people who think they're smarter than him.
- #2: Then he must hate everyone.
- #1: If you dislike him so much, why are you here?
- #2: Because I like being a prosecutor. I didn't vote for this guy and if the word on the street is correct, he won't be here that much longer. Besides, he'll never get rid of me.
- #1: Can you afford to take that chance?
- #2: It's not chancey. For one, I am popular with the press. He needs me, and two; if he does fire me, I've been made a book offer on the Perez case that'll tide me over nicely until he's out of office. I really can't lose.
- #1: You want me to tell him that?
- #2: Just tell him I won't take the case, and he shouldn't either. Then whatever happens, happens.
- #1: I'd really hate to see you leave.
- #2: I'd hate to see me leave, too, but I will. I feel that strongly about this.
- #1: I believe you. *(Pause)* OK, I'll relay your message.
- #2: *(Starts to exit.)* See you Monday...I hope.
- #1: Me, too.
(#2 exits.)