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intent

DRAMA IN TWO ACTS

Kasserine County Courthouse Series



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INTENT

A DRAMA IN TWO ACTS

A KASSERINE COUNTY COURTHOUSE SERIES

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written by

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Synopsis

In the second of the Kasserine County courthouse series, defense counselor Danny Dobson has his hands full against a now gaining confidence newly appointed female prosecutor Natasha Phillips in the case of Lucca Sousa, accused of murdering brother Enzo with an ax. Was it a tragic accident as Lucca claims, or a sinister plot to rid himself of an annoying business partner? The audience is left to contemplate how they would find the accused after hearing the evidence and testimony. Guilty or innocent?

Cast of Characters

MARTIN GALLAGHER	Judge
NATASHA PHILLIPS	Assistant District Attorney
DANNY DOBSON	Defense Attorney
CARL JAMISON	Police detective
KAREN EDWARDS	Court reporter
WILLY YEAGER	Reporter
DR. MAYFAIR	County Medical Examiner
LUCCA SOUSA	Defendant
CHRISTINA SOUSA	Victim's wife
DONALD FREEMAN	Witness
GORDY	Newspaper vendor
PETER BARNES	Bailiff

Place

Kasserine County Courthouse

Time

Fall 1963

ACT I

Scene One

Setting: People walk by a Newsstand near a door "Kasserine County Courthouse"

At Rise: KAREN EDWARDS steps from the door to the Newsstand where GORDY is hawking his wares.

GORDY

Get your latest edition! Read all about the Sousa trial! Cigarettes to foul your breath and mints to sweeten it! Got it all right here! Morning, Karen.

KAREN EDWARDS

Morning, Gordy.

GORDY

Shaping up to be a Cracker Jack day.

KAREN EDWARDS

(takes a newspaper)

I suppose ... weather-wise anyway.

(KAREN EDWARDS steps back by the door. GORDY resumes his banter.)

GORDY

Sousa trial set for today! Read all about it! Get your cigars from Cuba, gum from Wrigley!

(KAREN watches people pass.)

GORDY

Waiting for someone?

KAREN EDWARDS

Yeah, my knight in shining armor.

GORDY

With or without a trusty stead?

KAREN EDWARDS *(sighs)*

I could stand here all day and not one guy would say hello or just break the ice.

GORDY

Maybe you should be the one to break the ice?

(WILLY YEAGER enters, stepping to GORDY.)

GORDY

(holds up a newspaper)

Well, well, if it isn't the star reporter. Finally made front page!

(WILLY looks at the front page.)

WILLY YEAGER

I was the only one covering it, that's why. Too big for the funny pages.

(WILLY steps to KAREN. GORDY continues.)

GORDY

Read it here! Three alarmer levels warehouse! Get your latest news and sports ...

WILLY YEAGER

Good morning, Karen.

KAREN EDWARDS

Hey, Willy. Good to see your boss gave you the Sousa trial to cover.

WILLY YEAGER

He knows I'm hooked on courtroom drama since the McCann trial. No one could make this stuff up.

KAREN EDWARDS

I feel bad for him.

WILLY YEAGER

My editor?

KAREN EDWARDS

Lucca Sousa.

WILLY YEAGER

There must be some merit to the charge if he was indicted by the Grand Jury.

KAREN EDWARDS

I dunno, his story is kinda far-fetched if you ask me. I have an open mind, not a gullible one.

WILLY YEAGER

As a reporter, I'm supposed to be unbiased, report the facts but my gut says the brother did slip in front of Lucca's axe, like he claims. Weirder things have happened.

(CARL JAMISON enters, stepping to GORDY.)

GORDY

Morning, Detective. Usual?

CARL JAMISON

Why not. Let's keep the bad habit happy.

(GORDY hands CARL a cigar. CARL places it in his coat pocket then steps to the door. GORDY continues.)

GORDY

Sousa trial today! Read all about it! Catch up with Lil' Abner and Beetle Bailey!

WILLY YEAGER

Ah, Detective. We were commiserating the odds of being in the way of an axe. Any thoughts? Off the record of course.

CARL JAMISON

I'm obligated to the evidence, Willy.

(CARL steps inside.)

KAREN EDWARDS

Typical response from one in the know.

WILLY YEAGER

I'm sure he knows, Karen. Probably busting to give his opinion but likes his job too much to open his mouth when he shouldn't. I'll see you inside.

(WILLY steps inside. DONALD FREEMAN enters, steps to the door and stops.)

DONALD FREEMAN

Excuse me ... do you work here, the courthouse?

KAREN EDWARDS

I'm the court reporter for Judge Gallagher's courtroom. What can I do for you?

DONALD FREEMAN

I'm a witness for the prosecution in the Sousa trial and haven't a clue where I am supposed to go.

KAREN EDWARDS

Second floor, end of corridor.

DONALD FREEMAN

Thank you, um ... ?

KAREN EDWARDS

Karen. Karen Edwards.

DONALD FREEMAN

Karen ... Thank you. Oh, sorry, I'm Donald Freeman.

(They smile at each other.)

DONALD FREEMAN

Well, I um, should get in ...

KAREN EDWARDS

Yeah ... second floor ....

DONALD FREEMAN

End of corridor ...

(He steps away then returns.)

DONALD FREEMAN

I, um ... well, you never know unless you ask so, would you care to join me for coffee ... sometime ... maybe?

(KAREN looks bewildered. GORDY holds a thumbs-up at her.)

KAREN EDWARDS

Yeah, okay ... sure.

DONALD FREEMAN

Great. Well, I, um ... I better get inside.

(DONALD steps inside. KAREN twirls delighted. GORDY continues.)

GORDY

Everything to break the ice! Right here!

(GORDY taps his scully cap at KAREN. She smiles happily stepping inside the door.)

(LIGHTS: Down)

(END SCENE ONE)

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ACT II

Scene One

Setting: Two hours later; the courtroom waits.

At Rise: PHILLIPS is at the prosecution table going over notes. JAMISON enters sitting in the galley behind her.

CARL JAMISON

No lunch?

NATASHA PHILLIPS

(holds up apple core)

Had an apple, I'm fine. I'll get a bite after.

CARL JAMISON

That just may be a victory meal. Dobson looks like he's ready for the I give up speech.

NATASHA PHILLIPS

To use his own boxing analogy, he's against the ropes and he knows it. If Lucca can see the light he will plead. Lucca must know his ship is going under and should grasp the line I'm tossing him.

CARL JAMISON

There's a parable about a God-fearing man named Billy who lived by a levee. One day the levee collapsed, and Billy went to the roof praying to be rescued. As the water rose higher and higher a boat finally came tossing Billy a rope. He refused it saying God would save him. Billy then drowned and at the Pearly Gates asked God why he didn't save him? God shook His head and said I sent you a boat!

NATASHA PHILLIPS

Cute. So, is it Lucca on the roof and Dobson the rescue boat?

CARL JAMISON

And the levee has a huge crack.

(EDWARDS and FREEMAN enter.)

KAREN EDWARDS

Thanks for the lunch. I was dying for a coffee.

DONALD FREEMAN

My pleasure. You know caffeine can stain that pretty smile of yours.

KAREN EDWARDS

I just happen to know a good dentist.

DONALD FREEMAN

Ah ... would said dentist be lucky enough to sit across from you at dinner tonight?

KAREN EDWARDS

If you play your cards right, you could be holding a winning hand.

(FREEMAN steps back to the galley. BARNES enters bringing LUCCA to the defense table with DOBSON.)

LUCCA SOUSA

What’re my chances?

DANNY DOBSON

In my professional opinion, Lucca I don’t think we’re going to show your brother slipped. I have serious doubts it did or can convince the jury to believe otherwise.

LUCCA SOUSA

I thought you smart ... get me free, Si?

DANNY DOBSON

I am smart enough to know when it's time to consider options like involuntary manslaughter. You'll be out in three to five years.

LUCCA SOUSA

But it was ... accident!

DANNY DOBSON

Says you. Listen, I'm a pretty damn good defense lawyer not a magician and will not mess with the truth.

LUCCA SOUSA

But, I can no go to the jail!

DANNY DOBSON

If we continue with no evidence of what you claim happened, you'll be found guilty and sentenced to life imprisonment.

LUCCA SOUSA

No, no, no, no!

DANNY DOBSON

Then tell me the truth! Clear your conciseness. Let me plead for man-two. It's the best you can hope for.

(LUCCA shakes his head unsure.)

DANNY DOBSON

You know Abe Lincoln was a good lawyer, fair, smart ... didn't tell lies or deal with falsehoods of any kind.

LUCCA SOUSA

Why you tell me this?

DANNY DOBSON

One time, Abe discovered his client lied so right in the middle of trial he walked out. The stunned Judge sent the bailiff to bring him back, but Abe told him he had to leave, his hands were dirty.

LUCCA SOUSA

What ... ? Who is this Abe?

DANNY DOBSON *(laughs)*

A man with integrity.

(GALLAGHER enters.)

PETER BARNES

All rise.

(All rise.)

PETER BARNES

This court is again in session. All parties are present and the jury seated, Your Honor.

MARTIN GALLAGHER

Miss Phillips, before recess you called Doctor Mayfair?

NATASHA PHILLIPS *(stands)*

Yes, Your Honor.

(DOCTOR MAYFAIR steps to BARNES. They both raise their right hands.)

PETER BARNES

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

DR. MAYFAIR

I do.

PETER BARNES

State your name and occupation, please.

DR. MAYFAIR

Doctor John Mayfair, Kasserine Medical Examiner.

(MAYFAIR sits in the witness chair. PHILLIPS approaches with the axe.)

NATASHA PHILLIPS

Doctor Mayfair, do you recognize people's Exhibit A?

DR. MAYFAIR

Yes, the axe found at the scene.

NATASHA PHILLIPS

And was this the cause of death?

DR. MAYFAIR

Yes. It is a six-pound timber axe. I removed it from the rear left quadrant splitting bone from the ear to the base of the skull. Death was instant.

NATASHA PHILLIPS

In your examination, would you say the deceased slipped or tripped on the debris-covered ground?

DR. MAYFAIR

The angle of the wound and placement of the body leads me to conclude the deceased was struck from behind. I cannot determine if he lost his footing.

NATASHA PHILLIPS

Thank you, doctor. That's all.

(PHILLIPS steps to her seat. DOBSON stands.)

DANNY DOBSON

Doctor, you state from the angle of the wound Enzo Sousa had been moving away from Lucca?

DR. MAYFAIR

Yes. Struck from behind is the only reasonable theory.

DANNY DOBSON

Could his body have turned from losing his footing? Creating yet another possibility?

DR. MAYFAIR

I ... suppose but highly unlike --

DANNY DOBSON *(interrupts)*

Thank you. That's all.

(MAYFAIR returns to the galley. PHILLIPS stands.)

NATASHA PHILLIPS

The prosecution calls Christina Sousa.

(CHRISTINA SOUSA approaches the witness chair raising her right hand with BARNES.)

PETER BARNES

Do you swear to tell the truth, the whole truth, and nothing but the truth?

CHRISTINA SOUSA

Si ... I do.

PETER BARNES

State your name and occupation, please.

CHRISTINA SOUSA

I am wife. Christina ... Christina Sousa.

NATASHA PHILLIPS

(approaches)

Mrs. Sousa, you came to the United States with your husband, Enzo?

CHRISTINA SOUSA

Si, and Lucca.

NATASHA PHILLIPS

Were the Sousa brothers close?

CHRISTINA SOUSA

Si. Um, how you say ... pals?

NATASHA PHILLIPS

Did they ever argue?

CHRISTINA SOUSA

Oh, Si ... sometimes very mad.

NATASHA PHILLIPS

Lucca was arrested for assaulting your husband with a shovel, wasn’t he?

CHRISTINA SOUSA

They have a difficult, um, work. They both tired.

NATASHA PHILLIPS

And this caused Lucca to strike Enzo with the shovel?

DANNY DOBSON

Objection. Leading.

MARTIN GALLAGHER

Sustained.

NATASHA PHILLIPS

Was Enzo ever struck by a shovel?

CHRISTINA SOUSA

Lucca hit Enzo with shovel, Si.

NATASHA PHILLIPS

Do you have children, Mrs. Sousa?

CHRISTINA SOUSA

Si, two bambinos.

NATASHA PHILLIPS

Have the brothers ever argued in front of the children?

CHRISTINA SOUSA *(sadly)*

Si.

NATASHA PHILLIPS

So, it seems it doesn't matter where they argued.

DANNY DOBSON

Objection. Is the prosecution making a statement or asking a question?

NATASHA PHILLIPS

Mrs. Sousa, were you ever concerned by their arguing?

CHRISTINA SOUSA

Si, is worse and worse ... now my Enzo is gone!

NATASHA PHILLIPS

Sorry for your loss, Mrs. Sousa. Thank you.

(PHILLIPS steps to her seat. DOBSON approaches.)

DANNY DOBSON

Mrs. Sousa, do you really believe they disliked each other?

NATASHA PHILLIPS

Opinion, Your Honor.

MARTIN GALLAGHER

Sustained.

DANNY DOBSON

Do you have a sister, Mrs. Sousa?

CHRISTINA SOUSA

Si.

DANNY DOBSON

Have you ever shared harsh words, disagreements, flared tempers with her?

CHRISTINA SOUSA

But --

DANNY DOBSON *(interrupts)*

Enzo and Lucca were not only brothers but business partners which creates a lot of --

(CHRISTINA stands angrily pointing at LUCCA.)

CHRISTINA SOUSA

He does this! He takes my Enzo! He murderer!

(Chatter fills the courtroom. GALLAGHER bangs his gavel. BARNES leads an emotional CHRISTINA back to the galley.)

DANNY DOBSON

Your Honor, I ask the outburst by the witness be stricken from the record.

MARTIN GALLAGHER

The jury will disregard the last witness's outburst, and it will be stricken from the record. Miss Phillips?

NATASHA PHILLIPS

Prosecution rests.

MARTIN GALLAGHER

Mr. Dobson?

DANNY DOBSON *(defeatedly)*

Defense rests, Your Honor.

MARTIN GALLAGHER

Okay. Recess for one hour, then summations.

(GALLAGHER bangs the gavel.)

PETER BARNES

All rise.

(All rise. GALLAGHER exits. BARNES escorts LUCCA from the courtroom. DOBSON sits with his head in his hands.)

(LIGHTS: Down)

(END SCENE ONE)

Scene Two

Setting: A little later, in the courtroom.

At Rise: All cast members are in their same places. PETER BARNES continues the courtroom proceedings.

PETER BARNES

Come to order. This court is again in session.

(GALLAGHER sits. Everyone sits.)

MARTIN GALLAGHER

Miss Phillips ... summation?

(PHILLIPS stands facing the audience.)

NATASHA PHILLIPS

Ladies and gentlemen, the Grand Jury decided to hand the fate of Lucca Sousa to you because they believed there was Intent in Enzo Sousa's death. Our question is could Enzo have lost his footing placing himself in harm's way? He could have yet very unlikely. The area was not icy or wet and contained an amount of debris Enzo was used to walking on. The brothers argued, not as brothers, or family members, or friends or coworkers but as business partners. Enzo had a vision of how the business should proceed. Lucca had his. Neither vision meshed which created a rift between them. A gap that enlarged until becoming deadly and with anger and murder in his heart, Lucca intended to take advantage when the opportunity presented itself and followed through with a swing of the axe. Ladies and gentlemen, Enzo will never return to his wife and children, but we can give them closure in knowing his murderer has been punished. Thank you.

(PHILLIPS returns to her seat.)

MARTIN GALLAGHER

Defense.

(DOBSON stands.)

DANNY DOBSON

Ladies and gentlemen. Things happen, terrible circumstances beyond human control, even in the best of conditions. Yes, the Sousa brothers argued. All partners argue, worry and rarely agree on a true plan without compromise. Their disagreements were not unusual. All businesses are under pressure to achieve and push themselves to that end. Lucca is also a family man, married with one child. Must we punish the family for an accident. Thank you.

(DOBSON sits away from LUCCA. PHILLIPS leans to JAMISON.)

NATASHA PHILLIPS

That was short and sweet. Unlike Dobson.

CARL JAMISON

He should’ve taken your man two offer.

MARTIN GALLAGHER

(at the audience)

Ladies and gentlemen of the Jury, the court thanks you for your patience and service. It is now my duty to place this case in your hands. You will retire to the Juror’s Chambers and deliberate the testimony and evidence presented in order to reach a unanimous decision of innocent or guilty. Until that time this court is adjourned.

(GALLAGHER bangs the gavel.)

(LIGHTS: Down)

(FINAL CURTAIN)



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