

"LAW & ORDER"
"COPY CODE KILER"

by
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Episode

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LAW & ORDER

"COPY CODE KILLER"

TEASER

FADE IN

INT. HUDSON UNIVERSITY - DAY

Office of Dr. Lamont Foster. Older woman, Mrs. Parker unlocks door for Fontana and Green, opens it and stands back.

PARKER

Detectives, I really can't go back
in there.

(Clears her throat)

Please...

Fontana and Green walk into office. On the floor is a naked man on his back, his arms and legs outstretched.

FONTANA

Punch me Ed. Am I having a bad cop
movie dream?

GREEN

Dreams are good. This is a
nightmare. He's just like the other
victim this morning.

FONTANA

Let's not go too far into this one.
What's keeping the forensics
people?

GREEN

We just happened to be in the
neighborhood and got here first,
lucky I guess.

Two uni's appear at the doorway. Fontana turns, Green's cell phone rings and he answers it.

GREEN

Green (pause) Yes, 38th and 10th.
Rocky's Racket Club. We're on the
way.

FONTANA

I know racquetball court time is
tough to get, but we are a little
busy. (Questioning look)

GREEN
Another naked dead guy.

Both walking out, Green to unis.

Secure this room. Lab and ME are on the way.

FONTANA
Is this the part where we get to
blare the siren and drive real
fast?

EXT. ROCKY'S RACKET - DAY

GREEN
Green's car pulls to a quick stop
and they get out. Uni greets them.

OFFICER
(looks at watch)Forty blocks in 6.5
minutes, not bad.

GREEN
Where's the vic?

OFFICER
Floor, Court Number 13!

FONTANA
What was that about luck?

INT. COURT 13 - CONTINUOUS

Green and Fontana bend down to enter small door.

INT. COURT 13 INSIDE - CONTINUOUS

lab people, 1 uni, 1 ME are measuring the room establishing
shot trajectories. ME stands off to side with Body Bag.
Fontana moves to Crime Scene person in charge.

FONTANA
Other than the full-monty, what do
we have?

CSU INSPECTOR
One shot point blank to the head,
then one in the heart, then my best
guess, the perp crossed the
victim's legs, shot a bullet
through both feet.

GREEN

His hands are bleeding like the other two.

CSU INSPECTOR

Yeah, those holes were made with a rectangular metal instrument.

FONTANA

Best guess?

CSU INSPECTOR

A cross... I see some gold plate chips on the floor under the hands.

Uniform officer crosses himself, Fontana looks at him.

FONTANA

Little late for that.

END OF TEASER

ACT ONE

INT. VAN BUREN'S OFFICE - DAY

Fontana and Green bring Van Buren up to speed.

VAN BUREN

Okay, let me see if I got all this? We have an attorney who was playing racquet ball by himself, a college professor sitting in his office and a contractor walking across a courtyard of a church: All gunned down, stripped naked and laid out like that DaVinci sketch?

FONTANA

What DaVinci? Mona Lisa?

GREEN

The Vitruvian Man... 1492!

FONTANA

Oh, the naked guy. Yeah, you're right. I saw that show at the Met.

VAN BUREN

This might be some kind of copy cat killer?

GREEN

Because...

VAN BUREN

That book about the DaVinci code;
Skoda was telling me about it.
Let's get him in here, but in the
meantime...

GREEN

You think it has to do with some
secret society? Or religious cult?

VAN BUREN

I don't know, but find out what the
three men had in common.

FONTANA

Besides the birthday suits.

VAN BUREN

Yeah.

INT. VP CONSTRUCTION - DAY

Fontana and Green in reception area of company.

FONTANA

So Mr. Palitucci attended six
o'clock Mass every morning?

SALLY

Yes
(Dries eyes with tissue)
Victor is my Uncle... I mean was.

GREEN

Miss Tambelini, Did your Uncle have
an attorney?

SALLY

Yes, Mr. Lemon, Michael Lemon.

FONTANA

Are you aware of Mr. Lemon's death?

SALLY

Oh my God! What is going on?

FONTANA

Was there some kind of legal
problem?

SALLY

Not that I know of; just business stuff.

GREEN

One more question (beat) Did Mr. Palitucci know anyone at Hudson University?

SALLY

No, but his son goes to Amsterdam State.

FONTANA

What about a guy named Lamont Foster?

SALLY

No, I've never heard of him.

INT. HUDSON UNIVERSITY - DAY

Green and Fontana standing over Mrs. Parker's desk.

PARKER

Professor Foster had no enemies. Why would someone do this to this man?

FONTANA

Mrs. Parker, did the professor keep an appointment book or calendar?

PARKER

Why yes, I keep it for him.

GREEN

Did he ever meet with a man named Victor Palitucci? Or a Michael Lemon?

PARKER

No Lemon (looks in daytimer) but Mr. Palitucci visited Professor Foster last week. They talked about some club that Mr. Palitucci's son was going to join at college.

FONTANA

A club, what kind of club?

PARKER

I'm not sure, but in the Professor's notebook, I did find this.

(hands notebook to Green)

GREEN

Skull and Cross... those words are under Mr. Palitucci's name. And he circled it several times.

(looks at Fontana)

FONTANA

Thanks for your time Mrs. Parker. Here's my card if you think of anything else.

INT. BALLISTICS LAB - DAY

GREEN

What kind of gun?

CASPER

No 'bout a doubt it, Walther PPK, Nine millimeter... with a silencer.

FONTANA

Not a Beretta?

CASPER

(sarcastically)

Please Detective, we have the bullets. And by the way, this guy must have thought he was James Bond.

GREEN

Why's that?

CASPER

The gun and by the scoring, I'd say a different silencer was used on each victim.

GREEN

...Trying to make it look like three different guns.

FONTANA

Or there was a sale on silencers at Gun City.

INT. LAW OFFICES OF THORTON, SMITH, LEMON & FINLEY - DAY

Bennett Thornton III behind large wooden desk.

THORTON

Detectives, it's important that you find the person who did this to Michael. We'd also appreciate it if you helped us with the P.R. aspect of all this.

FONTANA

Mr. Thornton, we appreciate your good name, but our job is to find the scum who whacked your partner.

GREEN

(more cordial) What my partner is saying, let's stick to the task at hand. Who would have a reason, a motive to kill Michael Lemon?

THORTON

Detective, we're corporate lawyers. We don't defend or deal with criminals.

FONTANA

Well, you are corporate attorneys, right?

THORTON

Very funny. Gentlemen, please. How can I help you?

GREEN

You know anything about Michael meeting with a Mr. Palitucci or a Mr. Foster?

THORTON

Foster, I don't know, but Victor Palitucci is one of Michael's clients; corporate stuff for VP Construction?

FONTANA

Any big law suits or problems there?

THORTON

No, just licensing matters, zoning hearings; all construction related.
(MORE)

THORTON (cont'd)

Boy I'm having trouble with all this. (puts his hand over his forehead)

GREEN

One more thing, what do you know about Skull and Cross?

THORTON

One night over a drink, Michael did mention that Palitucci was nervous about his son joining some fraternity at Amsterdam. (he stares into space) I guess no lawyer - client privilege now. (looks sad)

FONTANA

A fraternity called Skull and Cross? I thought they used Greek letters?

THORTON

That's all I know about that Skull and Cross situation.

INT. VAN BUREN'S OFFICE - DAY

SKODA

Copy cat killer. Doesn't work for this one. The book has a victim in the Vitruvian man position, but he does that to send a message; a code of sorts. In the book, the dead man took his own clothes off after he was shot. Your killer wanted you to think about the book; it's just a ruse.

VAN BUREN

Emil, what do you know about Lamont Foster? You've lectured at Hudson.

SKODA

Good guy, smart. He's been working on a book about secret societies, you know, Freemasons, Priory of Sion and Skull and Cross.

GREEN

What do you know about Skull and Cross?

SKODA

Been around for a hundred and seventy-five years. It's based on a male bonding thing, like the Templar Knights. They meet at a place called the Stone Temple on the campus at Amsterdam State.

VAN BUREN

Why would a father not want his son involved in something like that?

SKODA

Too bad Foster is gone. He could have told you. But on the positive side, there have been a lot of famous people in Skull and Cross: Presidents, Ambassadors and CIA agents. (smiles)

VAN BUREN

Let's talk to the son. He might be more open to talk in his current emotional state. We need something to go on.

EXT. AMSTERDAM STATE COLLEGE - DAY

Fontana and Green approach a young man.

FONTANA

Anthony, Anthony Palitucci!

PALITUCCI

Yeah, who are you?

FONTANA

Detectives Fontana and Green, NYPD. We'd like to ask you about your father.

PALITUCCI

What about? (Pause, fearful look) Listen, I just came up here to get some books. I'm going back to the city.

GREEN

We know how tough it is, but we gotta ask you some questions.

PALITUCCI

Yeah, Okay, but tell me, who killed my father?

GREEN

We're working on it Anthony. What is the deal with Skull and Cross?

PALITUCCI

What do you mean?

FONTANA

Why was your father so concerned about your involvement with them?

PALITUCCI

He didn't understand. It's just a club, like a fraternity, only NO ALCOHOL.

FONTANA

No keggers? No chicks? Why join kid?

PALITUCCI

Because we are a brotherhood, just like cops stick together, we Skullmen stick together.

GREEN

Why was your Dad talking to experts and lawyers about it?

PALITUCCI

Can't tell you, it's a secret.
(walks away defiantly)

INT. SHEILA ROBBINS OFFICE - DAY

Green and Fontana sitting and drinking coffee.

ROBBINS

Skull and Cross is NOT a fraternity. It's a secret society with only 800 living members at any time. Only 15 underclassmen are elected each spring. It's all part of my new book I'm working on.

GREEN

Miss Robbins, are they capable of murder?

ROBBINS

I guess if it meant keeping a secret. Much like the disappearance of William Morgan in the 1800s.

(MORE)

ROBBINS (cont'd)

He threatened to expose the secrets of the Freemasons. Shortly afterward, he disappeared. His fate motivated the formation of the Anti-Freemason party. Morgan's body was never found.

FONTANA

Continuing on the conspiratorial theme Miss Robbins, could Palitucci have found out something about Skull and Cross and gone to Foster for help?

ROBBINS

Lamont Foster was one of my professors at Hudson. I am sure Foster would have urged that man to get his son out of the Skull and Cross.

GREEN

Maybe Palitucci had gone to his lawyer to see what legal action he could take. That would be a smart move.

ROBBINS

Depends on what law firm?

FONTANA

What do you mean by that?

ROBBINS

Which one?

GREEN

Thorton, Smith, Lemon and Finley?

ROBBINS

Why would he go to them? Thorton and Smith are both Skullmen! And David Smith is the current Treasurer.

INT. VAN BUREN'S OFFICE - DAY

SOUTHERLYN

And you're telling me Bennett Thorton denied knowing anything about Skull and Cross?

FONTANA

I asked him and said he knew nothing.

GREEN

But he did know about Palitucci asking Lemon for help. Something smells.

SOUTHERLYN

Let me talk to McCoy. I'll get Thorton over to the DA's office for a little friendly meeting.

INT. ASST. DA'S OFFICE - DAY

MCCOY

Bennett, I believe the detectives were a little confused after meeting you.

THORTON

Confused? I'd say they were more arrogant than confused.

SOUTHERLYN

According to Detective Fontana, you said you knew nothing about Skull and Cross.

MCCOY

Bennett, we know you're a member of Skull and Cross.

(shocked)

I said I didn't know about that "situation," you know, regarding Palitucci's talk with Michael. But really, it's been such a long time since I was in college. I really don't like to talk about my reckless youth.
(smiles)

MCCOY

We need your help. Why was Palitucci trying to get information about Skull and Cross?

THORTON

I have no idea, Jack. He was Michael's client.

MCCOY

(raising eyebrows)
Your partner is dead. What do you know about Skull and Cross that would have a father so concerned?

THORTON

We're done with this. (stands up)
Thanks for the ambush Jack! (walks toward door)

SOUTHERLYN

It's your duty as an officer of the court to help us, Mr. Thorton.
(looking back after opening door)
Find the killer and stop asking questions about things that don't matter.
(closes door firmly)

MCCOY

(McCoy looks at Southerlyn, then shakes head)
The implication of the opposite Serena. We need Green and Fontana to get more on Thorton and Smith, including their whereabouts the morning of the murder.

INT. SQUADROOM - DAY

FONTANA

How many times do I have to tell you, the Red Sox beat the curse - THIS TIME! What do you care Ed, you're a Mets fan.

Desk Phone rings.

GREEN

Detective Green (pause, starts writing in his notebook) yeah, Smith has a license for a Walther PPK...9 millimeter? Okay, (pause) is there any mention of a silencer associated with that license? No, Okay Thanks.

FONTANA

Lawyers, Guns and Money! Are they supposed to have guns?

INT. ROCKY'S RACKET - DAY

Green leaning over counter talking to great looking lady at front desk. Fontana looking at bulletin board.

GREEN

So Miss, how often did Mr. Lemon play?

MAMULA

Every Tuesday. (pause) But it's strange; (looks at the schedule book) he moved his time to Wednesday that day.

GREEN

Who does he play with?

MAMULA

Usually with one of his partners, ah, Smith or Thorton.

FONTANA

Hey Ed (points to bulletin board) there's a picture of Lemon and Thorton with another guy.

MAMULA

Yeah, that's when they won the tournament last month. The other guy is David Smith, the one who didn't show last Wednesday.

GREEN

Do you enter both names on the schedule when someone reserves a court?

MAMULA

Yes, unless they're playin' cut-throat.

FONTANA

Cut-throat?

GREEN

More than two players.

MAMULA

Let's see. Yes, it says Smith and Lemon - Six A.M.- Court 13.

FONTANA

Lockers. Members have lockers,
right?

MAMULA

Yes, but they're locked. You'll
have to talk to my boss. He'll be
here after lunch.

FONTANA

We'll be back. Thanks Miss.

GREEN

(smiling) Here is my card if you
think of anything. What's your
first name?

MAMULA

Marsha, Marsha Mamula.(grins)

FONTANA

Let's go, Ed. (shaking his head)

INT. DA BRANCH'S OFFICE - DAY

SOUTHERLYN

We have Smith's name on the
schedule at the club. Why can't we
ask for a warrant to search his
locker... and Thorton's?

BRANCH

Because simply not showing up for a
game of racquetball is not cause!

MCCOY

Arthur, Bennett Thorton seemed a
bit strange the other day, like he
knew something about Michael
Lemon's death. We need to learn
more about this Skull and Cross and
what happened between Lemon and
Foster.

BRANCH

Is Lemon married?

SOUTHERLYN

Yes.

BRANCH

Why don't you ask the detectives to
help Mrs. Lemon empty out her
husband's locker?

(MORE)

BRANCH (cont'd)
 Until you get more, you won't get
 those other lockers open.
 (McCoy sighs knowing
 Branch is right)

INT. ROCKY'S RACKET LOCKEROOM - DAY

Large muscle man in Rocky's T-shirt, wears latex gloves and carries large metal cutters. Green and Fontana stand next to Audrey Lemon.

GREEN
 Thank you for coming down here,
 Mrs. Lemon.

LEMON
 (emotionally wrecked,
 wearing sunglasses)
 I'm not sure what Michael keeps in
 here.

FONTANA
 We need more information. We really
 have so little to work with.

GREEN
 (moving down the row and double
 checking his notebook) Here we are,
 Number 322.

Rocky's employee cuts lock and opens the locker door. Muscle guy reaches in and pulls out large gold cross.

FONTANA
 Mother of God! (puts a glove on and
 then reaches for the cross)

GREEN
 Unbelievable... that's blood on the
 end.

Marsha Mamula bursts into lockerroom.

MAMULA
 I'm sorry, I made a mistake.
 Detectives, it's 333. Locker 333, I
 gave you the wrong number.

GREEN
 Then, whose locker is 322?

MAMULA
 Mr. Smith. His locker is 322.

FONTANA

Oops! (looks at Green)

Honest mistake. (smiles angelically)

Ext. LE GRAND APARTMENTS - DAY

FERGUSON

Look guys, I'm just the doorman.

FONTANA

Bud (pats him on the back) Doorman control this city and you know it. You guys know where the bodies are buried... so to speak.

FERGUSON

Yeah, I guess. (smiles proudly)

GREEN

Last Wednesday, when did David Smith leave in the morning?

FERGUSON

I don't remember days. But last week, he did leave real late one morning. Maybe it was Wednesday.

GREEN

Can you tell us anything?

FERGUSON

Yeah, if that was the right day, he walked out after eight, maybe closer to nine, and had a large parcel package under his arm, you know, like he was going to mail it, then he came back and drove to work.

FONTANA

Drove...where does he park his car?

FERGUSON

In the garage of Le Grand, of course.

GREEN

Security cameras?

FERGUSON

Yeah, they put them in right after
9/11. But you gotta ask Mr.
Gonzalez, my boss.

INT. LE GRAND SUPER'S OFFICE - DAY

Green, Fontana and Super looking at tape machine.

GONZALEZ

Yes, you can see the tapes are
marked. I'm sure this is the right
date. I mark them myself.

GREEN

Can you go to around 5:30 A.M.?

GONZALEZ

Sure, you guys watch. I gotta check
on Mrs. Zambreski's kitchen sink.
(walks out of room) o.s. Why do
they always jam vegetables down the
drain?

FONTANA

(now at controls)

Boy, this is a find. I wonder if
Smith knows they put a camera in.

GREEN

There. Stop it Joe, rewind and
freeze on the car.

FONTANA

Looks like a Porsche...and thank you
New York for having plates on both
ends.

GREEN

Looks like David Smith left his
place at 5:30 A.M. and he's wearing
a black shirt.

FONTANA

(cheshire grin) Don't you just love
this technology?

FADE OUT

END OF ACT ONE

ACT TWO

FADE IN

INT. INTEROGATION ROOM - DAY

Thorton, Smith, Green and Fontana sitting across from each other at a table.

THORTON

(points at Fontana) And you get this straight, (points at himself) I'm the lawyer (points at Smith) Mr. Smith has come down here to answer a few questions as a good citizen...on his own.

GREEN

Okay, why didn't you show up last Wednesday for racquetball?

SMITH

(chews gum vigorously) I usually use the wake up feature on my cable box. I must have clicked P.M. instead of A.M. I overslept.

FONTANA

Anyone to confirm that?

SMITH

No, I'm single.

FONTANA

What if we had a copy of the security tape at Le Grand? And what if it shows you leaving at Five-thirty that morning? And then what if it shows you returning at eight that morning?

SMITH

You'd have to be sure it was the right day. I would ask you to refer to the police report from six months ago, when a car was stolen and the tapes couldn't be used because the dates were all wrong.

THORTON

You guys are really wasting the taxpayer's money. You're starting to look like the LA PD.

GREEN

What was in the package you send parcel post that morning?

SMITH

stops chewing gum abruptly) It was a package of legal documents I sent to my home in the Caymans. I planned to be there the next week. I was going to work on those papers when I was down in the islands.(starts chewing again rapidly)

FONTANA

I guess you'll have to postpone that little junket, Mr. Smith.

SMITH

Are you asking me to stay here?
(takes a drink of water out of a glass)

FONTANA

We'll leave that up to the DA.

GREEN

Mr. Smith, do you know Lamont Foster?

SMITH

No.

FONTANA

What about Victor Palitucci?

SMITH

No, but I do know he was one of our clients; Michael's client.

GREEN

Where is your Walther PPK, counselor?

SMITH

(looks at Thornton then back at Green) I don't keep it here.

FONTANA

What do you mean by that?

SMITH

I bought it for protection when I am in the islands. It's at the Cayman house. It's for security purposes. We Americans aren't as loved in some places in this world.

GREEN

Are you a member of Skull and Cross?

SMITH

(looks at Thorton)

Do I have to answer that, Bennett?

THORTON

This meeting is over. Detectives, you really should be out there catching the real killers.

Smith and Thorton stand up and walk out.

FONTANA

Thanks O.J.

Ed smiles at Fontana, put on latex gloves and picks up the glass that Smith was drinking from and raises it in the air like a toast.

GREEN

Some days, all you need is luck.

INT. HOME OF VICTOR PALITUCCI - DAY

GREEN

Mrs. Palitucci, I know these are difficult days for you.

MRS. PALITUCCI

I'm on sedatives, so I hope I can help you.

FONTANA

That's okay, we understand. Do you know what your husband was up to with Professor Foster?

MRS. PALITUCCI

Victor wanted to know about that stupid club Anthony joined. (shakes head) He was afraid it was some kind of demonic thing.

GREEN

I guess because of the name?

MRS. PALITUCCI

Yes, but they aren't devil worshippers, the Professor told Vic that it's just a secret college society. They pledge secrets.

(MORE)

MRS. PALITUCCI (cont'd)
 (aside) We never had secrets with
 Anthony or the girls.

FONTANA
 What else did your husband find
 out?

MRS. PALITUCCI
 The professor said Skull and Cross
 wasn't dangerous, but that many of
 the pledges are afraid of the
 initiation.

GREEN
 And why is that?

MRS. PALITUCCI
 (looks out the window and
 crosses herself)
 They make the boys lay in a coffin
 nude and..

FONTANA
 And what?

MRS. PALITUCCI
 Masturbate. (starts to cry)

GREEN
 Thank you ma'am, we'll find the
 person who killed your husband.
 (gets up and moves toward
 Palitucci)
 Il Dio li Benedice.
 (touches her shoulder)

INT. VAN BUREN'S OFFICE - NIGHT

Green, Fontana, Van Buren, McCoy and Southerlyn.

MCCOY
 How did you get into Smith's
 locker?

GREEN
 The guy from Rocky's, an employee,
 cut the lock.

SOUTHERLYN
 Why did he cut Smith's and not
 Lemon's lock?

FONTANA

The gal at the front desk (looks at Van Buren) I mean, the woman at the front desk gave us the wrong locker number.

SOUTHERLYN

Oh yeah, and the wrong number was the right number for all the evidence. What judge is going to believe that? Besides, the cross isn't really the murder weapon.

MCCOY

(smiling slightly) So, we didn't open the locker, the Club employee did. The employee cut the lock and then, you say HE reached in and pulled the cross out of the locker?

GREEN

Exactly.

Aide interrupts the meeting, hands Van Buren a folder. Anita opens it and reads)

VAN BUREN

David Smith's finger prints are on the cross. The blood on the end is a mixture. DNA shows that it is the blood of all three: Foster, Lemon and Palitucci.

MCCOY

Arrest Smith, Serena notify Thorton.

INT. ARRAIGNMENT COURT - DAY

Busy and chaotic. Smith and Thorton appear as interchangeable parts in \$600 suits. Southerlyn for the state. Judge Janice Goldberg presides.

BAILIFF

Docket number 32202 People v. David Smith. Charge is murder in the first degree.

JUDGE GOLDBERG

(obvious swallow)

Excuse me, something is making me salivate. How do you plead, Mr. Smith?

SMITH

Not guilty.

JUDGE GOLDBERG

So, Mr. Thorton, from your own firm, is defending you?

THORTON

Your Honor, this case shouldn't have gotten this far.

JUDGE GOLDBERG

How did we get this far? Everybody seems to be a lawyer.

SOUTHERLYN

People request the defendant be remanded your Honor, he's a flight risk. He owns a home in the Grand Caymans.

JUDGE GOLDBERG

Bail set at one million. I'm sure they have that in their pockets. Next.

INT. JUDGE D. VENTURELLI'S CHAMBERS - DAY

Judge sits at his desk. McCoy faces off with Thorton.

THORTON

Your honor, we ask that the security camera tape not be allowed.

JUDGE VENTURELLI

I read your brief. Your comment, Mr. McCoy.

MCCOY

The video tape was marked with a date on it that the super claims it's accurate.

JUDGE VENTURELLI

That is the same tape system that we had a problem with on that car-jacking case. The problem Mr. McCoy is that when the power goes out in the building, the machine resets the time and date back to January 1st, 2000. At best, the system has been unreliable and inaccurate.

MCCOY

But the super is certain.

JUDGE VENTURELLI

The tape is out. And the other matter, Mr. Thorton?

THORTON

(feeling over confident) On this one, the cops go to the racquet club with Michael Lemon's wife and "accidentally" cut David's lock? No search warrant. David Smith isn't some kind of terrorist, he has rights.

MCCOY

First of all, no police hand touched the metal cutter, the lock or the locker. That activity was done by the club's employee.

THORTON

And according to Audrey Lemon, Detective Fontana actually took the cross from the employee without a search warrant. David keeps that in his locker for religious purposes. Judge, how can you accept this as evidence?

MCCOY

Mrs. Lemon can also testify that the police did not open that locker. Let's keep in mind the cross was used as a weapon by Mr. Smith in three cult-like murders.

JUDGE VENTURELLI

Mr. McCoy, how do you answer Mr. Thorton on the issue that the police used a mistake to circumvent the right of privacy and the need for a warrant to obtain evidence?

MCCOY

Mr. Smith signed an agreement with the club that says that they have the right to open the lockers and remove the contents when a member is delinquent on their dues.

JUDGE VENTURELLI

I'm listening.

MCCOY

My advice to Mr. Smith is to sue Rocky's Racket for breach of agreement. The people may have benefited by the mistake, but the DA's office certainly doesn't condone a breach of agreement or an illegal search.

JUDGE VENTURELLI

The cross is in. (looks sternly at McCoy)

Your bigger burden will be to prove how one man could kill three people within 99 minutes without a witness.

(McCoy nods)

THORTON

Your Honor, Exception!

JUDGE VENTURELLI

Exception noted. Let us proceed.

INT. BRANCH'S OFFICE - NIGHT

McCoy, Southerlyn, Branch.

BRANCH

Jack, the judge is right. David Smith must have been Spiderman. Three murdered, all laid-out like a DaVinci painting? Have you ever tried to undress a dead man?

SOUTHERLYN

The ME thinks Smith made them undress at gunpoint before he shot them in the head, then the heart. All had powder on their chest.

MCCOY

Moving the legs, shooting through the feet, slamming the cross into their hands and then moving their limbs to make the bloodlines... minutes for each.

SOUTHERLYN

Smith does own a Porsche.

BRANCH

Serena! You still have to establish a believable timeline.

(MORE)

BRANCH (cont'd)

Your motive is what? That Palitucci was going to reveal a fraternity hazing technique?

MCCOY

Maybe it wasn't as simple as that. Maybe Mr. Smith was shipping incriminating documents to the Caymans; and perhaps, the murder weapon. We do need a witness.

BRANCH

Yes, (smiles wryly) a witness is always a good idea. Why don't you ask the police to do a more thorough investigation on Smith: Teachers, girl friends, you know the drill. We hardly know who he is.

INT. CHEVY'S RESTAURANT TIMES SQ. - NIGHT

Green, Fontana, Emily Goldmeyer at table.

FONTANA

Miss Goldmeyer, how long did you go out with David Smith.

GOLDMEYER

We dated on and off for about a year.

GREEN

"On and off" makes it seem like it was very serious.

GOLDMEYER

Please, call me Emily. I never felt like I could get through to David. He was always consumed by something; always seemed distant.

FONTANA

Did he ever mention a college fraternity called Skull and Cross?

GOLDMEYER

That subject only came up once and it was definitely OFF LIMITS.

GREEN

How did it come up?

GOLDMEYER

I had some friends that went to Am. State and when I made fun of one of his little secret society, he said, "That is not something to make fun of." I dropped it.

FONTANA

Anything else you can tell us about him.

GOLDMEYER

He seems to have a lot strange habits, some O.C.D. thing or something.

FONTANA

And what was his thing?

GOLDMEYER

He would buy a pack of chewing gum, take all the sticks out of the package and had to throw the package away right after he came out of the store. (pause) The first sewer he saw, even if it meant crossing the street, he would drop it through the grate without looking down.

GREEN

Creepy!

GOLDMEYER

Yes, so we just ended the whole deal. Not my type. (goody two shoes smile)

INT. DA'S OFFICE CONFERENCE ROOM - DAY

Sheila Robbins, McCoy and Southerlyn)

MCCOY

Thank you for coming to the city, Ms. Robbins.

ROBBINS

This whole case is getting lots of publicity. (holds up Daily News headline: Triple Cross Killer)

SOUTHERLYN

Yeah, great for your book.

MCCOY

The reason we asked you here is to ask for a favor.

ROBBINS

Sure, how can I help?

SOUTHERLYN

How can we find out more about the financial details of Skull and Cross?

ROBBINS

This is rather a twist of fate. Just yesterday, I found out that Dalworth & Tramonte, the accounting firm, has been called in to audit them. Some I.R.S. problem.

McCoy looks at Serena, she acknowledges

INT. VAN BUREN'S OFFICE DAY

VAN BUREN

It's really such a good deed that you came forward with this information, Father. More people should follow in your footsteps.

FATHER CONSTANTINE

Thank you, Lieutenant. I know Maria cannot talk or hear, but she can communicate.

MACRIS

(signs, Father reads)

I saw the man in the black shirt with the gun.

FATHER CONSTANTINE

Yes, Maria, I will tell them about the man in the black shirt. (turns to Van Buren) Our Greek Orthodox Church looks down into the courtyard at Saint Matthews. She saw the whole thing. She works in our housekeeping department.

VAN BUREN

picks up phone) Please permit me to make this call Father. (dials quickly and waits for answer) Hello, this is Van Buren, is he in?

(MORE)

VAN BUREN (cont'd)
 (pause) Please give Mr. McCoy the message to call my office as soon as possible. Thank you. (hangs up)

INT. SQUADROOM - NIGHT

Green and Fontana sit across from each other at desks. Fontana has a print out in his hand.

FONTANA
 You know, this list of old girl friends seems to show a pattern.

GREEN
 The dude didn't seem to please the ladies. They all drifted away from him.

FONTANA
 Probably the chewing gum wrappers; who would want to go out with a litterbug?
 (Green with look of epiphany)

GREEN
 What if his habit was based on covering up something?

FONTANA
 Oh tell me, Doctor Sigmund Green?

GREEN
 What if his habit of dumping the wrapper was the same way he got rid of the guns... or the silencers?

FONTANA
 Okay, follow the words of that Emily chick. She said the first sewer he would see; even it meant he had to cross the street.

EXT. OUTSIDE ROCKY'S RACKET - DAY

Green, Fontana and city worker with small crane lifts the grate on the sewer near side door of club.

GREEN
 (plays with quarter in his hand and shouts) Okay, you've got it.

FONTANA

So, the new guy gets to jump into the sewer?

GREEN

We can flip for it? (shows coin)

Fontana putting gloves on.

FONTANA

Hey, it's your theory; I'll do the dirty work.

Fontana jumps down, looks in sewer. O.S. (echo)

FONTANA

We have a winner!

His head pops up with large grin. Holds up silencer.

GREEN

And we've got two more sewers, Joe!

FONTANA

(hands Ed the silencer, tries to climb out) You know, we could flip for the next one.

INT. COURTROOM - DAY

Judge Venturelli presides; Smith is at the defense table beside his attorney Thornton. Southerlyn is at the prosecutor's table. McCoy is questioning Mrs. Palitucci.

MCCOY

Mrs. Palitucci, to your knowledge, why did your husband meet with Professor Lamont Foster?

MRS. PALITUCCI

When my husband and I learned that our son, Anthony, had joined a club at school, we wanted to know what kind of club it was.

MCCOY

And the name of the club?

MRS. PALITUCCI

It's more of a secret society really; they call it Skull and Cross.

MCCOY

What is the significance of that name?

MRS. PALITUCCI

I don't know. I guess it's symbolic, like the Hell's Angels.

THORTON

Objection!

JUDGE VENTURELLI

Sustained. Ladies and gentlemen of the jury, please disregard that comment. The Hell's Angels have nothing to do with this case.

MCCOY

(looks miffed)

Mrs. Palitucci, why did Professor Foster recommend that your son **not** join Skull and Cross?

MRS. PALITUCCI

Because he told my husband that he was going to publish some really disturbing facts about the skull...

THORTON

Hearsay, your Honor!

JUDGE VENTURELLI

Mr. McCoy, ask the question differently.

McCoy nods

MCCOY

Mrs. Palitucci, what did your husband say to you about why your son should not join the Skull and Cross?

MRS. PALITUCCI

He told me that there were some very embarrassing things about Skull and Cross that would be made public soon.

MCCOY

Who would make them public?

MRS. PALITUCCI

Lamont Foster.

MCCOY

And what were those things?

MRS. PALITUCCI

Something that was illegal. That is all I know.

MCCOY

What do you know about Mr. David Smith? Did your husband meet with Smith?

MRS. PALITUCCI

Yes, Mr. Smith was going to handle the construction company's legal matters while Mr. Lemon was on vacation. And he also asked Mr. Smith about Anthony's joining Skull and Cross.

MCCOY

So Smith knew about the conversation that your husband and Lemon had about Skull and Cross?

MRS. PALITUCCI

Yes, my husband said that Mr. Smith laughed and said that we shouldn't be worried about the club. He said that we should be more worried about Anthony going to Iraq.

MCCOY

No further questions.

McCoy sits, Thorton stands.

THORTON

Mrs. Palitucci, do you know if your son ever pledged this fraternity - Skull and Cross?

MRS. PALITUCCI

It's not a ...

Thorton cuts her off

THORTON

Please Mrs. Palitucci, answer my question, has your son pledged yet?

MRS. PALITUCCI

No, he quit school. He's too afraid. (starts to cry)

THORTON

No further questions. I'm done with this witness, your honor.

JUDGE VENTURELLI

You may step down Mrs. Palitucci.

David Smith smiles at Thornton.

INT. COURTROOM CONTINUOUS - DAY

David Becker on stand, McCoy questioning

MCCOY

How long have you been with the firm Dalworth and Tramonte?

BECKER

Five years, sir.

MCCOY

And did Lamont Foster come to your office?

BECKER

Yes, about two weeks before I read in the paper that he was murdered.

MCCOY

And what was the purpose of this meeting?

BECKER

Mr. Foster said that he had reason to believe that Mr. Smith was transferring funds from the SNC Corporation to his off-shore account.

MCCOY

And what is the SNC Corporation?

BECKER

That's the legal corporate name for the college club Skull and Cross.

MCCOY

After Mr. Foster told you that he believed something illegal was taking place, what did you do?

BECKER

I told him that we were conducting an independent audit on SNC and that it would not be proper for me to continue the conversation.

MCCOY

Then what happened?

BECKER

He thanked me for my time and then left.

MCCOY

Did he say anything else to you?

BECKER

Yes, he said, "Be careful."

MCCOY

Did you call the police or report this information to anyone?

BECKER

Yes, I called David Smith and let him know about Mr. Foster's comments.

MCCOY

I have no further questions.

McCoy sits, Thorton rises

THORTON

(deep breath) We have no questions for this witness.

INT. COURTROOM CONTINUOUS - DAY

MCCOY

How long have you been with the Internal Revenue Service, Mr. Glickenhau?

GLICKENHAUS

Seven years.

MCCOY

We know that there are certain things you cannot talk about during an on-going investigation, but what can you tell us about the Skull and Cross or what you may reference as the SNC Corporation?

GLICKENHAUS

We have discovered that large sums of money have been electronically transferred out of their bank here in New York to an account in the Grand Caymans.

MCCOY

And what name is on that account in the Caymans?

GLICKENHAUS

Due to Grand Cayman's banking regulations, they will not disclose any information unless it involves murder or the sale of illegal drugs.

MCCOY

Thank you, Mr. Glickenhau.

INT. COURTROOM CONTINUOUS - DAY

Green is the witness, McCoy questions.

MCCOY

Detective Green, what did you find in the sewer out side of Rocky's Racket?

GREEN

We found the silencer from a gun.

MCCOY

And what made you look in the sewer? Is that a typical police procedure?

GREEN

We got from some information from a couple of old acquaintances of Mr. Smith's.

MCCOY

Old Acquaintances?

GREEN

Ex-girl friends.

MCCOY

What did they say to you that would have lead you to discover all three silencers that, according to the ballistics testimony we heard earlier from Mr. Casper, were part of the murder weaponry?

THORTON

Objection; Mr. McCoy isn't testifying.

JUDGE VENTURELLI

Sustained.

MCCOY

Why did you look in the closest sewer to all the crime scenes?

GREEN

Both Emily Goldmeyer and Patti Peterson told us about this habit Mr. Smith has.

MCCOY

And what habit is that?

GREEN

When he buys a pack of gum, he has this compulsion to take all the sticks out and throw the wrapper away in the closest sewer.

MCCOY

Detective Green, when you questioned David Smith about his activities the morning of the murders, was there anything that was out of the ordinary that morning?

GREEN

He said he got up late, that he over-slept.

MCCOY

And according to Mr. Smith, did he go to the parcel post office that morning?

GREEN

Yes, he said he mailed a package of documents.

MCCOY

And where did he send that package?

GREEN

His home in the islands.

MCCOY

Which island, Detective Green?

GREEN

The Grand Caymans.

MCCOY

Thank you. No further questions.

McCoy sits; Thorton rises and approaches to question.

THORTON

Detective Green, have you ever found a murder weapon or one that was used in a crime near the scene of a crime?

GREEN

Yes, it happens.

THORTON

And don't you have your fellow police officers search around a neighborhood for weapons and clues?

GREEN

Yes, that is standard procedure.

THORTON

So would you agree that finding a weapon used in a murder near the scene of a crime isn't that unusual?

GREEN

You might say that.

THORTON

(getting very close to
Green's face)

No Detective Green, I asked you what you would say. Is finding a weapon in close proximity to a crime unusual?

GREEN

No.

INT. JUDGE'S CHAMBERS - DAY

Thorton, Smith, McCoy and Southerlyn.

THORTON

Your Honor, this is so typical of Jack McCoy's tactics: Surprise witness! What happened to the whole damn discovery process?

JUDGE VENTURELLI

Mr. Thorton, did I hear an extra word in there?

THORTON

Sorry your Honor, but he is notorious for this.

MCCOY

Your Honor, she just came forward due to some unusual circumstances.

JUDGE VENTURELLI

Define "unusual."

MCCOY

She's deaf and the parish priest just came back from the Olympics in Athens. He's the only one who signs at the church where the young lady works. She was afraid to talk to anyone else.

THORTON

Unbelievable.

JUDGE VENTURELLI

The people will arrange for a translator in the court.

THORTON

We'll need a deposition before she testifies.

JUDGE VENTURELLI

I'm sure the people will facilitate that.

MCCOY

No problem. I am sure you'll find it quite interesting what she has to say.

INT. COURTROOM - DAY

MCCOY

(his words are signed to
witness)

Miss Macris, when you looked out
the second story window of Saint
Dimitris that Wednesday morning,
what did you see?

MACRIS

(signing and translator
talking)

I saw a man in a black shirt with a
gun. He was pointing it at this
other man. I tried to look away,
but I couldn't.

MCCOY

What happened next?

MACRIS

The other man, in the white shirt,
started to take his clothes off..
and when he had all his clothes
off, I saw a little puff of smoke
by the gun, and then the naked man
fell.

MCCOY

Do you see the man who had the gun,
the man in the black shirt, here in
the courtroom?

(she points at David
Smith)

Let the record show that the
witness pointed at the defendant
David Smith. No further questions.

McCoy sits, Thorton approaches the stand.

THORTON

Miss Macris, what time do you think
all this took place in the
courtyard?

MACRIS

in the morning.

THORTON

Are you sure? Were you wearing a
watch?

MACRIS

No.

THORTON

(very forcefully and
animated)

Then how could you possibly be so
sure of the time?

MACRIS

(unemotional) While the man in the
white shirt was undressing, the
pigeons flew out of the bell tower.
Every morning at six-fifty, they
fly away. Father told me it's
because the bell rings at Saint
Matthews right after six o'clock
Mass.

THORTON

(looks shocked)

No further questions.

INT. DA CONFERENCE ROOM - DAY

Thorton, Smith, McCoy, Southerlyn)

THORTON

We are willing to go to the mat on
this with the jury.

MCCOY

Interesting way to spend the lunch
break; you called the meeting?

THORTON

Let's work something out.

SOUTHERLYN

What could you possibly be asking
for?

THORTON

Manslaughter, Voluntary; we'll show
adequate provocation.

MCCOY

Adequate what? Twenty-five to life
Murder One and to avoid the death
penalty, there is one stipulation.

THORTON

St-ip-u-lation? You've got balls,
McCoy!

MCCOY

We've uncovered a strange little disappearing act in our investigation.

THORTON

More surprises, McCoy?

MCCOY

All of Professor Foster's research and manuscripts on Skull and Cross seem to be missing.

THORTON

So?

MCCOY

We want them back.

THORTON

Don't have them. What's on the table?

MCCOY

Murder ONE! - Twenty-five to life and the manuscript and... full disclosure on the IRS investigation of Skull and Cross.

THORTON

(thrown off balance) I guess we'll see you in court.

MCCOY

I guess protecting some silly secret from your college fraternity is more important than your partner's life. (raises his voice) Is that what you are saying, Thorton?

THORTON

(rather defensively) We don't have any documents. We don't know about any IRS problem and (shouts) you don't have a case.

Thorton and Smith rush out.

INT. COURTROOM - DAY

Thorton summation in front of Jury.

THORTON

Once again, the police violated my client's rights by confusing a racquet club employee so they could proceed with an illegal search. And the prosecutor tried to fool you with that chewing gum wrapper story. The police may have recovered three silencers but not one of them had David Smith's fingerprints on them. And a silencer wasn't the murder weapon, the gun is. And we have no gun. You heard the testimony of a witness who conveniently showed up with recollections of a man in black shirt. How many men in New York City have black shirts? (yells) THOUSANDS!

The time-line they proposed is insane considering the traffic in New York City and we have yet to hear a believable motive as to why David Smith would kill one of his own clients. If we did that, we wouldn't be a law firm for very long.

My dear partner, David Smith, is on trial, not because he killed anyone, but because he over-slept one morning. Your own rights are at stake here. Don't let the DA's office storm troop this innocent man. You must acquit David Smith.

Thorton sits, McCoy stands and approaches Jury.

MCCOY

(calm and serious) We all know what happened that Wednesday morning. At 5:55 A.M., while an attendant at Rocky's Racket was using a loud vacuum cleaner in the lobby, David Smith slipped by him undetected. Then he surprised his partner, Michael Lemon, and shot him in cold blood on court number 13.

But before he shot him in the head, he made him strip naked, like they do in the Skull and Cross. Then David Smith took a Walther PPK with a silencer, and shot Michael Lemon in the forehead, then the heart, then the feet. Then he thrusts a gold cross through Mr. Lemon's hands; just like Jesus on the cross. By 6:10 in the morning, Mr. Smith was off to his next victim.

At Saint Matthews, 15 blocks away, he cornered Victor Palitucci at 6:50 A.M. and performed another ritualistic killing. Mr. Palitucci was asking questions about Skull and Cross. He was worried about his son's involvement in this secret club.

Mr. Smith had one more victim; the professor, Lamont Foster, who knew too much about Skull and Cross. Mr. Smith snuck into Hudson University at 7:30, thirty minutes before Lamont Foster's eight o'clock class and took his life in the same cult-like manner as the other two men.

David Smith killed three men to cover up the discovery of his embezzlement of millions of dollars from Skull and Cross. He had the opportunity, moving quickly through city streets early in the morning. His fingerprints are on a cross that was used in the killings. The blood of all three dead men is on the cross. Three useless murders committed in order to cover up a felony. David Smith is guilty of MURDER in the FIRST DEGREE.

We are an open society. The secrets we keep, we keep only for national security and personal freedom. The men who lost their lives in this case, were denied their rights.

(MORE)

MCCOY (cont'd)
Now it's time for you fortify those
rights. Convict this man.

INT. COURTROOM - DAY

Bailiff hands Judge the verdict.

JUDGE
Mr. Foreman, have you reached a
verdict?

FOREMAN
Yes, we have your honor.

JUDGE
Would the defendant please rise.
(pause)

On Murder in the First Degree, how do you find?

FOREMAN
We the jury find David K. Smith,
Guilty.
(reactions)

JUDGE
We will determine a date for
sentencing within the week. Thank
you for your work ladies and
gentlemen of the Jury. You're
dismissed. Court's adjourned.

INT. BRANCH'S OFFICE - NIGHT

Branch and McCoy have scotch glasses full, Southerlyn has a
soft drink.

BRANCH
Serena, Jack, I must say that
whatever the Yellow Jackets and the
Bulldogs did to each other back in
Georgia, at most, it might have
been embarrassing, but never
anything to die for.

MCCOY
Yes, I'm totally amazed that
intelligent men would think that
college secrets are more important
than justice and the truth.

SOUTHERLYN

I'm curious Jack, how did you find out about the missing manuscripts and research?

MCCOY

What missing manuscripts? I just wanted to see how far they'd go with their secrets.

(Serena opens her mouth in disbelief)

BRANCH

Do me a favor Jack, keep that one a secret...just between us boys (blinks his eyes nervously) AND girl. (raises his hands in air, palms to heaven and smiles at Serena)

FADE OUT.

END OF SHOW