

THE PEOPLE VS. EDDIE PORTER

written by

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Revision Three

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FADE IN:

INT. COUNTY JAIL WAITING ROOM - NIGHT

CHARLIE SUTTON, 35 with hair graying at the temples sits in a chair with his briefcase sitting next to him. He is dressed in a suit.

After a few moments of waiting, a loud buzz is heard, and a jail guard named FRANK MILLS enters through an iron door.

FRANK

He's ready for you, Charlie.

Charlie gets up out of his chair and joins Frank in the doorway.

CHARLIE

How's he doing?

FRANK

It's county jail--

CHARLIE

Yeah, I know that. It's county jail for everybody.

Frank sighs heavily. The two walk into a corridor towards the visiting area.

INT. COUNTY JAIL HALLWAY - CONTINUOUS

The corridor is awash in florescent light. It's a long hallway with few doors.

FRANK

This isn't the place for the kid.

CHARLIE

I thought he was 23.

FRANK

He is. Like I said, it's not a place for kids

CHARLIE

That bad?

Frank and Charlie stops by the entrance to the visiting room.

FRANK

It's his first time. See for yourself.

(a beat)

I'll be right outside. Let me know if you need anything.

Charlie gives Frank a look as if to say "here goes nothing." Frank opens the door, and Charlie proceeds inside...

INT. COUNTY JAIL VISITING ROOM - CONTINUOUS

Charlie sees EDDIE PORTER, 23 and looking skinny in his prisoners uniform sitting at a table with his hands cuffed in front of him. Eddie's hands tremble as he wrings them nervously.

Charlie sits down across from Eddie.

CHARLIE

Hi Mr. Porter, my name is Charlie Sutton, and I'm your attorney.

(a beat)

I brought a few things if you need them.

Charlie sets down his briefcase, opens it, and takes out a pen, legal pad, a candy bar, a bottle of water, and a pack of cigarettes.

EDDIE

You can call me, Eddie.

CHARLIE

Great. You can call me Charlie. Now, as your attorney, it's my duty--

EDDIE

With all due respect, Charlie, you're not my lawyer yet.

Charlie's heard this before, and although Eddie is soft spoken, Charlie understands Eddie's point. He puts his hands up in a mock surrender.

CHARLIE

My apologies. I know then you and I haven't signed any contracts. It's just that your dad paid my retainer.

EDDIE

Well, my dad might be out that money, because I'm not a guaranteed client.

CHARLIE

(taken aback)

I'm here to help you, Eddie.

EDDIE

Really? Because the last three attorneys that I talked to today all said that I should take plea bargain. That's not helpful.

CHARLIE

A plea bargain is one strategy--

EDDIE

NO!

Charlie flinches at this sudden outburst.

Frank hears the outburst, and opens the door.

FRANK

Everything okay in here?

A beat. Eddie fixes Charlie with a hard stare. One of fear, anger, and desperation.

CHARLIE

(without breaking eye contact from Eddie)

We're fine, Frank. I'll let you know if I need anything.

Frank exits and shuts the door behind him.

EDDIE

(under control again)

What the hell do you think you know about my case?

CHARLIE

Eddie, I don't know much of anything right now. I know that your girlfriend was murdered with the claw end of a hammer, and that the cops found your prints on the murder weapon, so naturally, you stand accused.

(a beat)

I came down here to hear the story directly from you. I'm not suggesting any course of action yet.

(a beat)

Aside from the other attorneys you talked to, did you say anything to anyone else about this case yet?

EDDIE

No.

CHARLIE

Nothing to any investigators--

EDDIE

(not shouting, but forceful)

No. Nothing, I swear.

CHARLIE

Okay. Why don't you start from the beginning then. Start by retracing your steps leading up to what happened.

Charlie clicks open his pen, and gets ready to write.

EDDIE

Jessica and I were going to have a quiet night in last night. We had some booze in the kitchen, but we needed some drinks to mix with the alcohol.

(a beat)

So I left around 4:30 in the afternoon and walked about five blocks up to the gas station to grab a couple of two liters. Sprite, Pepsi, you know.

CHARLIE

Jessica's you're girlfriend?

EDDIE

Yeah.

(a beat)

Well, she was.

At this Eddie stops, and his eyes fill with tears.

EDDIE (CONT'D)

I wasn't even there. I don't know
how the cops could have fingered
me in this.

Charlie reaches into his briefcase and produces a small pouch of Kleenex, handing one to Frank, who takes it and wipes his face.

CHARLIE

So you were at the convenience
store at the time of the murder?

EDDIE

Yes. I came home around 5, or
close to it.

(a beat)

At first, I couldn't find
Jessica. I thought she'd be
sitting on the couch waiting for
me.

(a beat)

I checked the kitchen, the
bathroom.

Eddie continues to cry, wiping his eyes.

CHARLIE

I know this is hard.

EDDIE

Do you?! Have you ever spent a
night in jail, accused of
murdering the person you loved?

(a beat)

I bought a ring.

CHARLIE

What?

EDDIE

I'd bought Jessica a ring three weeks ago. I was going to propose.

Charlie sits back, running his hand through his hair. He sighs heavily at the gravity of Eddie's current situation.

CHARLIE

You're right.

EDDIE

About what?

CHARLIE

I don't know how hard spending a night in jail is, because I've never been in jail.

(a beat)

But my dad spent from the time I was 10 years old in jail, for a crime that I believe he didn't commit.

(a beat)

He's the reason I became a defense lawyer. He just didn't live long enough for me to get him out.

EDDIE

I'm sorry.

CHARLIE

I am too.

(a beat)

Eddie, I want to help you, but I've only got 30 minutes, and my next question is going to be very hard for you to answer. I need you to think about details here.

(a beat)

How did you find Jessica?

Eddie takes a deep breath, his eyes move as if he's trying to remember.

EDDIE

She was lying face down on our bed, with the hammer sticking out of the back of her skull. She was already dead.

Charlie shuts his eyes, silently wincing at this visual.

CHARLIE

Did you touch it?

EDDIE

Touch what?

CHARLIE

The hammer.

EDDIE

No, of course not! What kind of question is that?!

Charlie puts up his hands in mock surrender.

CHARLIE

I'm not accusing. Remember, if you accept my services, I'll be the one standing by your side through all of this.

(a beat)

I just need to be armed with your entire story before we go to court.

(a beat)

Then what did you do?

EDDIE

I called the cops. Told them I found my girlfriend's body.

(a beat)

They came over about five minutes later, started questioning me.

(a beat)

Next thing I know, I'm in the back of a squad car, wearing these.

Eddie lifts his handcuffed hands as indication.

CHARLIE

What can you tell me about the hammer?

(a beat)

Was it yours?

EDDIE

From the handle, it looked like mine.

A beat. Charlie stops writing and puts down the pen.

EDDIE (CONT'D)

This is the point where the other attorneys told me to take a plea deal.

(a beat)

Are you going to tell me the same thing?

Charlie's shoulders sink. Now comes the hard part.

CHARLIE

I'm not advising you one way or the other at this point, but obviously there are two options here. From what I understand, the arrangement that the D.A. is offering is very generous. You plead down to a third-degree murder charge, spend up to 40 years in jail, probably less than that with good behavior.

(a beat)

Or, we go to court and try to battle this out, but I gotta be honest with you, it doesn't look good--

EDDIE

Man, I fucking knew it, you guys are all the same--

CHARLIE

Just stop and let me explain--

EDDIE

Why?! What explanation could you possibly offer to convince me to take a plea deal? You're a defense attorney for God's sake, aren't you supposed to defend your clients?

CHARLIE

Of course I defend clients, Eddie. But the problem is that people have this perception of my profession based on watching episodes of Law and Order, or Perry Mason.

(a beat)

In criminal litigation, the sad truth is that the truth doesn't matter as much as what I can prove in court. That's why lawyers will tell you to take a plea deal. Even if they believe you, if they tell you to plead guilty, it's because they don't think they can prove to a jury that your version of events is the truth.

EDDIE

But why don't more lawyers at least try and give it their best shot in court? Seems like plea bargaining is the easy way out.

CHARLIE

It is, and most lawyers don't try to litigate cases they know they're going to lose.

EDDIE

So you're saying my case is a guaranteed loser?

CHARLIE

Not necessarily, but lawyers don't want to take the chance.

EDDIE

Why not?

CHARLIE

Because you lose enough cases, and pretty soon you're a lawyer without any clients, which means you don't have any money coming in. And just like that, the lawyer is seen as a loser, just like his clients.

Silence. Charlie realizes what he's said as soon as the words leave his mouth.

CHARLIE (CONT'D)

I didn't mean that to come out the way that it did.

EDDIE

Am I just some punk loser to you?

CHARLIE

Of course not--

EDDIE

Let me help you understand something, if I take a plea deal and "get out" in 30 years because of "good behavior", my life is still over.

(a beat)

Who the fuck is going to hire a convicted murderer, and what apartment complex is going to let me live there without an income?

(a beat)

Excuse me if I don't give a shit about your reputation.

CHARLIE

Have you given any thought to what will happen if we take your case to court, and you lose?

(a beat)

This state has the death penalty, and the prosecutor will ask for it. Eddie, I'm trying to help you avoid the needle, here.

EDDIE

If we lose, then we appeal the conviction.

CHARLIE

Do you understand how appeals work? When you appeal a case, you're basically stating that the lower court failed to give you a fair trial.

(a beat)

If the prosecution and the judge litigate the case by the book, you're basically screwed--

EDDIE

Why are you so afraid of trying?!

CHARLIE

Because I can't watch another
innocent man die!

Silence. Eddie picks up on Charlie's phrasing.

EDDIE

What do you mean, another?

CHARLIE

I mean that I watched the state
strap my father to gurney and
kill him.

(a beat)

He was innocent, and no appeal
saved his life. The jury and the
appellate courts believed the lie
the prosecutor told about my
father.

A beat. Eddie digests this for a moment.

EDDIE

Do you believe me?

CHARLIE

What?

EDDIE

Do you believe my story?

CHARLIE

I want to, and I don't believe
you're faking the emotion you're
displaying.

(a beat)

But I need your help to prove
your innocence.

EDDIE

What can I do?

CHARLIE

Right now, the biggest piece of evidence the state has against you is the hammer with your fingerprints on it.

(a beat)

While that looks bad, I can convince a jury that someone else could have used gloves to keep from getting their prints on the murder weapon.

(a beat)

The problem is that the discovery file is going to show Jessica's time of death, and I need to prove you weren't in your house when the murder occurred. Did you get a receipt from your purchase at the store?

EDDIE

I think so, but they took my wallet when they locked me up.

CHARLIE

I can get your wallet back. Did you notice any security cameras at the store?

EDDIE

Yeah, there's a monitor that shows you your face on the way inside.

CHARLIE

Ok, great. Where's the store located?

EDDIE

On the corner of 5th and Maple.

The door to the room opens, and Frank walks in

FRANK

Times up, Charlie

Charlie nods to Frank, grabs the legal pad, and stuffs it in his briefcase, before grabbing the case and getting up to leave.

CHARLIE

(to Eddie)

First order of business is
getting the security camera
footage from the store.

EDDIE

Okay, so what do I do?

CHARLIE

Sit tight, keep your head down,
and stay out of trouble.

Charlie walks towards the door, when he meets Frank at the
threshold, Eddie says...

EDDIE

So you're really going to do
this? You're going to take my
case to court?

CHARLIE

That depends. Am I your lawyer?

A beat. Eddie's face brightens for the first time since his
ordeal began.

EDDIE

Yeah, of course you are.

Charlie nods and exits.

FADE OUT.

THE END