

MATTER OF FAITH

Screenplay by

Ryan Sims

Based on the novel by Brent Craig

EXT. COURTHOUSE SQUARE - DAY

JAY, a young black man, removes a 'For Rent' sign from an old office door as he locks it. Jay checks the door, then turns and smiles as he walks toward the Stewart County Courthouse in the middle of the old town square of Bronwood.

INT. COURTHOUSE - DAY

Jay makes his way up a wooden staircase to the second floor. Walking past the main courtroom, down a long hallway, he approaches the circuit judge's SECRETARY seated behind her desk.

SECRETARY

Can I help you?

JAY

Yes, is the judge available?

SECRETARY

(suspiciously)

May I ask what this is in regards to?

JAY

Oh, I'm sorry. I'm Jay Davis. I just passed the bar and wanted to introduce myself to the judge.

SECRETARY

I'll... tell the Judge you're here.

She walks to the end of the hallway to the judge's chambers, speaking before she fully enters.

SECRETARY

Judge... a young man, who has just passed the bar, is here to see you.

JUDGE LACY (O.S.)

Well... send him in.

JUDGE CLAUDE LACY has been Circuit Judge of Stewart County for twenty-two years.

INT. JUDGE'S CHAMBERS - DAY

As Jay enters the judge's chambers, the judge looks over his reading glasses, without standing, without hardly even moving. The secretary exits.

JUDGE LACY
Come in, young man... have a seat.

JAY
Thank you, Your Honor.

Jay, nervous, almost reaches to shake the judge's hand, but instead walks briskly and sits down in one of the two leather chairs in front of the judge's desk.

JUDGE LACY
So, you've passed the bar exam?

JAY
Yes, Your Honor. I'm glad that's over.

JUDGE LACY
You have a name, counselor?

JAY
(clearing his throat)
Oh, I'm sorry. Jay Davis. I'm Johnny Davis' son.

JUDGE LACY
Well, I tell you, Jay Davis... Johnny Davis's son, you may have an eighteen by twenty-four piece of paper that says you're a lawyer, but I've got news for you: you ain't no lawyer! You're just like the hundreds of others that just passed the bar. You know just enough law to be dangerous. But in time, you might just become a lawyer.

JAY
You're right about that.

JUDGE LACY
You're dang right, I'm right about that! But like I say, you'll learn in time, counselor. Just get you some good malpractice insurance, and we'll help you along.

The judge leans back in his chair.

JUDGE LACY

Your dad... good man from all accounts. Of course, your dad won't be in the courtroom with you.

JAY

That's true. I know I've got a lot to learn. I talked with Bob Lasten this morning and rented an office. I think that's going to work. Any suggestions on where I should concentrate my practice?

JUDGE LACY

Well, most lawyers around here hate criminal law. Jack Burgess is absolutely scared to death to try a case. Of course, the Lasten brothers don't want to fool with criminal work because there ain't a whole lot of money in it, and they've got all of the money they need. But I've always said that a bright young lawyer can make a pretty good livin' concentrating on criminal work. Next arraignment, Monday... I'll be appointing lawyers to represent defendants that have too little money to hire their own.

JAY

I see.

FADE TO BLACK.

EXT. BRONWOOD HOSPITAL - EARLY MORNING

APRIL is exhausted. She falls into her green Ford Taurus and heads home.

INT. APRIL'S CAR - EARLY MORNING

April is only twenty-five, but looks a little older. Life is hectic for April. Tired and sleepy, she blinks often as she makes the ten minute drive home. The tip of the sun slowly begins to rise. April pulls into the driveway of her new double wide trailer, which rests on a half-acre, just outside the city limits of Bronwood.

INT. TRAILER - EARLY MORNING

Toys are scattered on the floor. Some empty beer cans and a bag of chips lay opened by the recliner.

April walks through the kitchen past a sippy cup half full of grape juice and a few crayons sitting on the floor. April picks up the cup and places it in the sink. She gathers the crayons and lays them on the table. She walks down the hall and quietly pushes back Faith's partially opened door. April eases toward the crib and peeks inside. Faith is not there.

April walks back through the kitchen, the den, and into her and JERRY WAYNE's bathroom. She takes out her contacts, brushes her teeth and takes off her make up.

April quietly enters the bedroom. Jerry Wayne is just a big blur of covers to April's near-sighted eyes. She lets her clothes fall to her feet, as she puts on an oversized tee shirt and slides in bed.

The early morning sun, softly lights the room. April gently shakes Jerry Wayne.

APRIL

Jerry Wayne... did Mother and Daddy
get Faith last night?

Jerry Wayne mumbles. He turns over facing April, rubs his eyes and smacks his lips a couple of times.

JERRY WAYNE

(muttering half asleep)
Ain't seen your folks no... she's
in her crib.

April screams. Jerry Wayne jumps almost straight up vertically.

APRIL

She ain't in there! I just checked.
Faith!... Faith!

April quickly runs back through the house. She grabs her glasses out of the bathroom.

Only the newspapers, beer cans and chips are in the den. No Faith. The kitchen: nothing. She looks under the kitchen table. Nothing. She runs past the spare bedroom to Faith's room.

APRIL
Faith! Faith!

She looks once again in the crib: still empty. She looks under the crib. No Faith. She swings the clothes back in Faith's closet, hoping to find her below. Nothing.

APRIL
(crying)
Faith! Faith... where are you?

She runs to Faith's bathroom, throwing open the door. She frantically pulls back the bathtub curtain. Only tub toys and a bottle of baby shampoo.

APRIL
Jerry Wayne, where is my baby?
Where's my Faith?

Jerry Wayne stumbles to the doorway of Faith's bathroom.

JERRY WAYNE
Are you sure, honey, she's not in
her crib?

APRIL
Are you kidding? She's NOT in her
crib.

April cries as she grabs Jerry Wayne.

APRIL
Tell me, where's my baby?... Where
IS she?

JERRY WAYNE
(Calmly)
Honey, she's 'round her somewhere.
You know she climbs out of the
crib. Don't worry.

APRIL
Don't worry? She's a baby!

April tears loose from Jerry and runs outside.

EXT. TRAILER, EARLY MORNING

April screams Faith's name as she circles the trailer with her arms flailing wildly. She tries to listen over her cries, but hears nothing. Some woods are thirty yards from the back door of the trailer.

April runs to the woods edge, still screaming. Jerry Wayne manages to get his jeans on and runs after her.

APRIL

Oh, God, please let me find my
baby. Please let her be all right.

Jerry Wayne joins screaming Faith's name. Yet, there are no replies, only the faint sounds of some dogs barking in the distance.

APRIL

PLEASE God tell me this is not
happening, Jerry, please tell me
this is just a bad dream.

April cries as she leans in to Jerry Wayne's awaiting arms. Jerry Wayne is quite.

EXT. TRAILER DRIVEWAY - MORNING

SHERIFF FRANK ADAMS throws his mostly burnt cigarette down on the limestone gravel driveway of Jerry Wayne and April as he rolls his oversized body out of his dusty S.U.V. There are several other cars already parked in front of the trailer now. A couple of men stand on the small front porch.

FRANK

Y'all, all-right?

He keeps on walking, not waiting for a response as he enters the trailer.

INT. TRAILER - DAY

April sits on the couch. Her eyes are red. Her mom and dad sit beside her. DEPUTY DAWSON, as well as some other women stand around. Dawson approaches Frank.

DEPUTY DAWSON

Sheriff.

FRANK

What we got here?

DEPUTY DAWSON

Looks like their little girl has
wandered off.

FRANK

How old?

DEPUTY DAWSON

Two, two and a half.

FRANK

When did they notice her missing?

Frank surveys the room.

DEPUTY DAWSON

When April got in this morning... around six o'clock or so. Jerry Wayne says he put her to bed last night around eight. Next thing he knows, April is waking him up asking where's Faith.

FRANK

Faith? the girl's name?

DEPUTY DAWSON

Yeah... Mike is here. He took some men and they are searching the woods behind the trailer. Surely she hasn't gotten too far.

FRANK

Well, she will probably turn up shortly. Let me speak to her momma.

Frank brushes by Dawson and approaches April and her parents.

FRANK

Miss April, honey, now don't you worry... We'll find your girl. She couldn't have gone far. She probably wondered off in the woods and just fell asleep. There ain't nothing out there that would hurt her. The weather wern't bad. She'll be all right... We'll find her.

April looks up at the sheriff. Her dad slowly rubs his hand back and forth across her back.

APRIL

Oh, sheriff, I hope so. I pray so. I just can't take this!

She begins to sob deeply.

APRIL

She is my baby. She just has to be okay. She just has to. The Lord wouldn't just let her get hurt. Surely, He wouldn't take her from me, would He, Momma?... Tell me, Momma, God wouldn't take my baby from me, would He?

She buries her head into the shoulder of KAREN, her mother. Her entire body shakes as she cries.

KAREN

No... dear. He wouldn't. She'll be okay.

April's dad, MALCOLM, stands up.

MALCOLM

Frank... let's step outside, okay?

FRANK

Sure, Malcolm.

The two men step outside on the front porch. Malcolm points toward his truck and he and the sheriff walk over to it.

MALCOLM

Frank, I tell you. I'm worried. I appreciate what you said to April in there and all, but I got to tell you... I just don't know. It isn't like Faith to walk off like that. Shoot, she's afraid of the dark! Have to keep a light on in her room every night. Why would a two year old that is afraid of the dark wander off in the woods or down the road when it's pitch black?

FRANK

Kids do strange things sometimes, Mac. My youngest, back when she was little, would climb out her crib, take her diaper off, and run through the house naked as a jay bird.

Malcolm smiles, but quickly returns to the subject at hand.

MALCOLM

Tell me this. We've got several people out there hunting right now.

MALCOLM(cont'd)

I would have gone, but thought we should stay with April. Suppose they don't find her. Suppose there is no sign of her in the woods. What then?

FRANK

Well, we would keep looking, of course. But we would probably at that stage treat this area as a crime scene and start a full blown investigation.

MALCOLM

A crime scene? What do you mean exactly?

FRANK

An investigation, Malcolm. It's an investigation... I don't know how to explain it really. We just look around. Look for clues... You know.

MALCOLM

Do you think someone took her, Frank?

FRANK

Oh no, Mac. She's just wondered off. She'll turn up. Think about it... when was the last time we had a kidnapping in Stewart County? ...I'll tell you when... never. We ain't never had a kidnapping here. And we don't have our first one last night. You'll see.

He slaps Malcolm on the shoulder and walks away.

Malcolm walks around the trailer looking for something, anything now. Just then, the newspaper carrier throws the morning paper to the left of the gravel driveway. Malcolm walks over to the paper. As he bends to retrieve it, he sees something.

MALCOLM

Oh, Sweet Jesus.

Just inside the culvert lays a crumpled pair of little panties.

INT. COURTHOUSE - DAY

Jay once again climbs the stairs to the second floor courtroom of the Stewart County Courthouse in his new crisp pin-striped suit. An older man, apparently a BAILIFF, stands beside a wooden frame that contains a metal detector. Jay reaches for his keys.

BAILIFF

You're our new black lawyer?

JAY

(proudly)

Yes, sir. Yes, sir I am.

BAILIFF

Go on in then... You don't have to empty your pockets.

The detector beeps loudly as Jay walks through. He hesitates for a second and then opens the door to the courtroom.

INT. COURTROOM - DAY

Inside the courtroom, maybe a dozen people sit quietly in the gallery. The lone exception is a little boy, dressed in dirty clothes, running up and down between two of the long pews. Most eyes turn and lock on Jay. Jay smiles nervously. He takes a few steps to the opening of the bar, the long three foot high wooden barrier that separates the gallery from the jury box, the judge's bench and where the lawyers sit.

Jay stands by the jury box briefly, before looking at the time displayed on his cell phone.

Jay sits down, about middle way on the wall pew. Most of the gallery is still watching him. He checks his pants fly; no problem there. He quickly opens his new brief case and pulls out a new legal pad.

MIKE ARNOLD, dressed in a suit, comes through the door from the judge's suite area and approaches Jay.

MIKE ARNOLD

(Smiling)

Hey, hey, how ya' doin'?

Mike sits down beside Jay.

JAY
(relieved)
Fine. How are you?

MIKE ARNOLD
I'm okay; I'm okay... I'm Mike
Arnold. Haven't seen you before...
You practice in Birmingham?

Still smiling, Mike extends his hand and Jay quickly grabs it.

JAY
Oh, no, I'm Jay Davis. I'm the
rookie black lawyer around here...
I guess.

Jay chuckles.

MIKE ARNOLD
Just passed the bar? Well, good
for you. I know I couldn't pass
that thing today, if I had to. You
will know more law today than you
ever will. You will soon forget
most of that stuff. Just the stuff
that you do; that's all you will
remember before long. Are you
working for anybody or...

JAY
No, sir, I'm out on my own. An
office next to the Lasten brothers.

MIKE ARNOLD
You'll be happy you did. I started
out on my own twenty-five years ago
and haven't regretted it a bit.
Now that is not to say that I
didn't just about near starve the
first year or two. You like pintos?

Mike laughs hard.

JAY
I'm a macaroni and cheese man
myself.

MIKE ARNOLD
Well, you are on your way then.

A few more lawyers join them as a woman comes in with an arm full of files and sits near the bench in the court clerk's cubicle. The bailiff, the old man that had let Jay in the courtroom earlier, methodically marches into the courtroom. He is neatly dressed in a suit and tie, and has an oversized gavel in his hand. He approaches a three foot high wooden column just to the right of the court clerk's cubicle. He turns around and hits the column hard with the gavel. He pauses for about two seconds and hits it again. He waits another two seconds and hits it a third time.

BAILIFF

All rise. The Circuit Court of Stewart County, Alabama is now in session, the Honorable Claude Lacy presiding. God bless this court and its judge.

They rise as Mike whispers to Jay.

MIKE ARNOLD

every bailiff had to audition by doing that... before the old judge would hire him. Ol' Stir Fry loves the pomp and circumstance.

Judge Lacy enters the courtroom from the door to the left of his bench, clothed in his black judicial robe. He has one law book under this arm, that he never opens. He stands in the center of the bench, just in front of his chair. He looks scornfully toward his right and then to his left. Stir Fry then sits down and gives a nod to his bailiff. The bailiff pounds the gavel one last time.

BAILIFF

You may be seated.

The judge reaches and turns the microphone on before him.

JUDGE LACY

All right. Court will come to order. This is the Circuit Court of Stewart County and I am Judge Claude Lacy. Today, we have arraignments set. Now, I said 'arraignments', not 'arrangements', as I often hear them called by non-lawyers. You could say that an arraignment is an arrangement of sorts. An arraignment is the initial proceeding of the indicted.

JUDGE LACY(cont'd)

Today, we will find out how many of you want to plead guilty and how many of you want a trial. In all of your cases today, the grand jury has previously indicted you and found probable cause to proceed with the case.

Today, for those of you who have been charged with a crime, you will be informed of the charges against you. You will have the right to plead guilty, not guilty, not guilty by reason of mental defect or disease or a combined plea of not guilty and not guilty by reason of mental defect or disease.

Since you could be facing confinement either in the Stewart County jail or the state penitentiary, you have the right to have a lawyer with you through every stage of the proceeding. If you cannot afford to hire a lawyer, one will be appointed to represent you. Now, you will not have the right to choose your own appointed lawyer. If you want to choose a lawyer, you need to hire one. But if you cannot afford one, this court will appoint you a competent lawyer educated and well versed with the laws of this, the Great State of Alabama. Having said that, I will now call the docket. When I call your name, you are to come forward unless you already have a lawyer, which in such case your lawyer will answer for you. John Applegate.

A greasy headed man in his twenties stands up.

JOHN APPELEGATE

Here, sir.

JUDGE LACY

That's 'here, your honor,' but come forward.

Applegate moves the swinging gate separating the bar from the gallery and walks up to the bench.

JUDGE LACY

Mr. Applegate, you are charged with felony DUI, a serious offense under the laws of this, the Great State of Alabama. Do you have an attorney?

JOHN APPELEGATE

No, sir. I mean, No, your honor, sir,

JUDGE LACY

Well, are you going to hire one?

JOHN APPELEGATE

Well, Judge, your honor, sir, I don't believe I can afford one. I called a couple of 'em and it was no way I could come up with what they would charge me.

JUDGE LACY

Raise your right hand... Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

JOHN APPELEGATE

I do.

JUDGE LACY

Do you work?

JOHN APPELEGATE

Yes, sir. I work on Frank Miller's farm.

Jay listens intently now as the judge looks down and begins writing.

JUDGE LACY

(looking down)

How much do you make a week?

JOHN APPELEGATE

Two-fifty a week if the weather is good. Only 'bout one twenty-five if we get a lot of rain.

JUDGE LACY

You rent?

JOHN APPLGATE
 Yes, your honor. My rent is seventy-five a week.

JUDGE LACY
 Got a wife, any kids?

JOHN APPLGATE
 Got one wife and two kids.

JUDGE LACY
 Mr. Applegate, this is the Great State of Alabama, not Utah. If you are married, we can be pretty sure that you only have one wife.

The gallery crowd laughs.

JUDGE LACY
 Mr. Jay Davis.

He looks toward Jay over his glasses and smiles.

INT. PATROL CAR - DAY

ALVIN JOHNSON, lead investigator is at the wheel. Alvin, with his dark skin, deep wrinkles on his face, and graying hair, commanded instant respect in his appearance alone. The CB radio sounds.

FRANK (O.S.)
 S-T one to S-T three, come in.

Alvin reaches for the radio mike.

ALVIN
 S-T three here, over.

FRANK (O.S.)
 My 10-20 is at the Jerry Lachey residence... We found something. I think we need to do a full investigation, over.

ALVIN
 What did you find, over?

EXT. TRAILER DRIVEWAY - DAY

Frank

I-I-I-I don't think I want to broadcast it. I will inform you when you arrive, over.

ALVIN (O.S.)

10-4. My ETA is about fifteen minutes. I'm just passing through Landersville. Have you secured the scene?

FRANK

Uh....

Frank pauses to survey the scene. He has not secured it in the least. There has been more than a dozen people all over the place.

FRANK

(Lying)

I'm in the process of doing that right now. I got S-T 5 and 7 here to help me.

He reaches to the back floor board of his SUV for a big roll of crime scene tape.

ALVIN (O.S.)

10-4. Get it secured. If anyone is around, clear the area. I'm on my way.

FRANK

10-4.

Frank, with tape in hand, eases out of his SUV. It is hard to miss. It has "Frank Adams, Stewart County Sheriff," in six inch letters on each side of the vehicle. On the back, a sticker that reads, "Taken from a Drug Dealer. Crime Doesn't Pay in Stewart County."

Frank looks to Malcolm, standing close by.

FRANK

Any of the people inside live next door?

INT. PATROL CAR - DAY

Even as Alvin Johnson parks his patrol car, he is already working on the case of missing Faith Phillips. As he approaches Jerry Wayne and April Lachey's trailer he notices the large number of cars parked in the gravel drive way and on the grass in the front yard.

A near equal number parked next door at the Livingston's. Sheriff Adams is completing his taping off of the Lachey property, including the parked cars inside the tape.

ALVIN
(to himself)
Botched before I get out of the
car.

Alvin parks his patrol car on the edge of the road in front of the trailer and exits.

EXT. TRAILER DRIVEWAY - DAY

FRANK
Hey, hey, Alvin, just wrapping up
with my tape.

Alvin just closes his eyes and pauses.

Alvin opens his trunk and removes his evidence kit, much like oversized medical bag. Alvin carries the kit by its handle. He walks over and stands by Frank.

ALVIN
No sign of the child?

FRANK
Naw... and I gotta tell you the
granddaddy, Malcolm Phillips, you
know Malcolm? He found some little
girl panties over there. That's
when I radioed you. I am afraid
this ain't no little girl wondering
off case.

Alvin walks the short distance to the culvert, with Frank right behind him. Before getting too close to the panties, Alvin squats down and pans with his eyes to see if there is anything of interest around the panties. Seeing nothing, he gets closer and carefully sits his evidence kit down. Frank is just a couple of feet behind Alvin, his hands on his knees looking over Alvin's shoulder. Opening the bag, Alvin removes a digital camera. He snaps a few photos.

Next, Alvin removes a long pair of stainless tweezers from his bag. Using the tweezers, he gently grabs one of the leg openings of the panties, lifting it slightly.

ALVIN
Frank, get dispatch and tell them
to get an Amber alert out. Get a
description and let's move on this!

FRANK

Damn, I didn't even think of that.

Frank heads back to his SUV. Squinting to better focus, Alvin looks closely at the panties. He carefully places the panties in a zip lock bag. He places the bag in a manila envelope, and notes the time, date, and location of the evidence on the outside of the envelope and signs his initials. Envelope goes in kit.

Alvin returns to Frank's SUV.

ALVIN

You talk to the parents?

FRANK

Yeah.

ALVIN

Did you separate them while you talked?

FRANK

Well, naw, not exactly. I have to admit, Alvin, I just thought this kid had wandered off. I just got some general information from them. I sure as heck didn't interrogate them.

ALVIN

Where are they now?

FRANK

They should still be up there at Ms. Livingston's... unless they have joined in on some of the search teams. I saw some going up the road.

ALVIN

Jerry Wayne the daddy?

FRANK

I-I-I-I don't think so. I didn't ask, but I am almost positive that April had that child out-of-wedlock.

ALVIN

We need to find out. Jerry Wayne the last one to see the child... right?

FRANK

Near as we can tell, yes.

ALVIN

Well, let's do this. Ferguson up at the Livingston house?

FRANK

Yep.

ALVIN

Get Ferguson down here to help me search the place for evidence. You go up there and interview the mom, preferably alone. Certainly not with Jerry Wayne in there. Okay?

FRANK

Check.

Frank starts to leave.

ALVIN

Talk to Jerry Wayne and get him taken to the office... say around two.

EXT. JAY'S PARENTS HOME - DAY

Jay turns his white Honda Accord into the driveway that leads to the brick ranch house, that he called home for twenty-two years, located in a grove of sixty feet tall longleaf pine trees.

INT. JAY'S PARENTS HOME - DAY

As Jay walks into the house, he is greeted to a warm hug from his mother, and the wonderful combined scents of collard greens, great northern beans, cornbread, and pork backbone emitting from the dining room table.

JAY

Oh, man, Mother, you made my favorite!

CATHERINE

Yes, I sure did, Hun.

JAY

Hey, Deddy. Let's eat!

Jay's father, JOHNNY, gets up from his recliner.

The three of them gather around the table. After grace, they all start loading their plates.

JOHNNY

Jay Bird, did you have court today?

JAY

Yes sir, Deddy. I got my first case.

CATHERINE

(Excited)

You did! Tell us about it.

Jay piles his plate full of great northern beans.

JAY

Well, it is not the most exciting case in the world... It's a felony DUI.

CATHERINE

Felony DUI? Well he needs to go off.

JAY

Aww, Mother. Give the guy a break. You don't even know what the facts are.

CATHERINE

Well, was he drinkin'?

JAY

Well, yeah.

CATHERINE

Was he driving?

JAY

Yeah.

CATHERINE

Well, then he's guilty. Here, do you want some hominy?

JOHNNY

So... Who's going to bring home the Nation Championship this year?

CATHERINE

Jay, you been courtin' anybody?

JAY

Okay. Here we go.

CATHERINE

I am just saying you need to get out there, start dating. You are a lawyer. You're good looking. I don't care if you are my son. All the ladies at church go on about what a good looking young man you are.

JAY

Mother, in case you haven't noticed there's not a whole lot to pick from here in Bronwood. Most of the girls around here got married right out of high school, and I ain't about to marry or date for that matter some eighteen year old.

CATHERINE

Well there is nothing wrong with that. I am seven years younger than your daddy!

JAY

That worked for y'all and that's great. I'm glad it did. Shoot, I wouldn't be here if it didn't.

CATHERINE

I tried to tell you when you were at Cumberland you better start looking.

JAY

Mother, it will happen. And I did date some at Cumberland. It just didn't happen... yet. Whatever is that... happens?

A small TV in the kitchen plays the local news in the background. Titles on the live broadcast state: "Bronwood: two year old girl missing from her home." The Channel 10 news helicopter is assisting in the search. Clips of the news footage show April and Jerry Wayne's Trailer and Deputies on the foot search.

INT. BETTY'S LIVING ROOM - DAY

April holds a coke in one hand and a half-eaten cracker in the other.

FRANK
Sit down, Hun.

Frank points to one of the two Queen Ann chairs in the room. He joins her by sitting in the matching chair just a few feet across from her. April is not sure she should have the soda and crackers in Betty's formal room now.

FRANK
First of all... I want you to know we are doing all we know to do right now. I've got Alvin Johnson, our lead investigator, involved. He's the best.

APRIL
Thank you. I know that you are.

FRANK
I just want to ask you a few questions that will hopefully help us find little Faith. Now, if you need to take a break or anything like that, you just let me know. That will be perfectly fine. Okay?

April nods.

FRANK
Now, you and your dad have already told me about Faith, her age, her description and so forth. But I do not believe I asked you, and pardon me, but these are things we just need to know, is Jerry Wayne her father?

APRIL
No, Jerry Wayne is not Faith's biological father. I got pregnant by a boyfriend when I was in college. Jerry Wayne and I have been married about six months.

FRANK
And the father, who is he and where does he live?

APRIL

Barry Brighton. I don't know where he lives now. He grew up in Birmingham. But he and I broke up shortly after I got pregnant. He wasn't ready to be a father. After we broke up, I lost contact. He's never had anything to do with Faith.

FRANK

Does he pay child support?

APRIL

No. I never sought it. And he never saw Faith. I am not sure he knows if I had a boy or a girl. It suited me and I guess it suited him. The only father Faith has known is Jerry Wayne.

FRANK

Jerry Wayne. Now how did y'all meet?

APRIL

Well.. I moved back up here after I graduated from U.A.B. and Faith was born. I saw Jerry Wayne at the Piggly Wiggly Grocery Store. He worked there. He was in produce then. He now is an assistant manager. Anyway, we struck up a conversation. Those conversations became pretty regular every time I came in there. Eventually, he asked me out. We dated pretty regular, then he asked me to marry him. We got officially married six months ago.

FRANK

And Jerry Wayne, he gets along with Faith okay?

APRIL

Jerry Wayne does not just "get along okay" with Faith, He's a good father. He takes care of us.

INT. TRAILER - DAY

Alvin takes some fingerprints from the doorknob of Faith's room. The kitchen garbage can reveals nothing but some empty beers cans, along with an assortment of other household garbage.

Alvin takes photos of the doors, their door frames, and all of the windows. No scratches, marks or other signs of forcible entry. All the windows, locked from the inside.

Alvin takes photos of both bathtubs in the trailer. He checks the laundry.

EXT. TRAILER - DAY

Alvin walks to Jerry Wayne's truck, parked in the driveway, an older model Ford F-150 pickup. Dull crimson red, it bares two bumper stickers: "Alabama Crimson Tide - 13 National Championships" and "I'd Rather Be Fishin'". The truck is unlocked. Wearing latex surgical gloves, Alvin opens the driver's side door and looks inside. He looks under the driver's visor. He folds the split seat back. Nothing but a pair of jumper cables and an old CD case. Alvin exits the truck and walks around it. He notices the tailgate has a slight dent. The tires have some mud on the outer edges, but are smooth and clean on the treads.

Walking around to the other side of the truck, Alvin opens the passenger door. Alvin sees it immediately, on the side of the vinyl seat, just next to the passenger door is what appears to be a drop of dried blood. About one inch long, and very thin. Alvin quickly opens his evidence kit and snaps pictures. He looks around and finds another single drop on the carpet between the passenger doorframe and the passenger seat. More photographs. He then gathers both. Using two separate razor blades, he carefully cuts out the fabric surrounding the respective drops of blood. He places both in their own zip lock bags, and logs them with manila envelopes.

Alvin now photographs the rest of the truck (inside and outside), with particular attention to the tires. He calls Deputy Ferguson near by.

ALVIN

Ferguson, have this truck to be transported by trailer to the sheriff's department for more thorough testing.

Alvin looks at his wrist-watch to check the time.

INT. PATROL CAR - DAY

Jerry Wayne rides in the front passenger seat of Deputy Dawson's patrol car.

JERRY WAYNE
Warm weather we've been havin',
ain't it?

DEPUTY DAWSON
Yep.

Dawson never looks over at Jerry Wayne, he keeps his eye on the road.

INT. VIDEO ROOM - DAY

Alvin tests the video equipment and the tape. He checks the camera clock with his watch to assure the time is correct. He examines his notes. On the TV screens, Deputy Dawson escorts Jerry Wayne into the room being monitored. Alvin hits record.

INT. INTERROGATION ROOM - DAY

Jerry Wayne studies the avocado green walls. His chair looks to be an old school student desk without the desk top, hard and uncomfortable. There is a five foot by three foot table along with another chair. Wearing short sleeves and jeans, Jerry Wayne rubs his bear arms to keep warm. He waits. Alvin enters and extends his hand.

ALVIN
(professional)
Alvin Johnson.

Jerry Wayne stands.

JERRY WAYNE
Jerry Wayne Lachey.

ALVIN
Keep your seat, keep your seat.

Jerry follows Alvin's instructions. Alvin grabs the other chair and casually drops his notebook on the table.

ALVIN
Jerry Wayne... alright if I call
you Jerry Wayne?

JERRY WAYNE

Sure. I mean, yes, sir.

ALVIN

Jerry Wayne, I want to find your little girl. Sheriff Adams wants to find your little girl. We all want to find her. And I want to find out as much as I can from you in hopes that we can find her as soon as possible. As you might imagine, every minute, every moment is precious.

Jerry Wayne nods.

ALVIN

Okay. Of course, at this point we do not know what happened to Faith, so to protect you and to protect me, I need to go over a few things with you. First, we will tape whatever we say today. In fact the tape is running right now... That will help us review things later on and I don't have to worry so much about writing down everything.

Jerry nods again. Alvin casually pulls out a sheet of paper from his notebook.

ALVIN

Now, this is what is commonly called a Miranda Warning. Follow along as I read this.

Jerry Wayne looks at the rough copy generated from a decade old copy machine.

ALVIN

Before we ask you questions, you must understand your rights. You have the right to remain silent. Anything you say can be used against you in court. You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning. If you cannot afford a lawyer, one will be appointed for you before any questioning, if you wish.

ALVIN(cont'd)

If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at anytime until you talk to a lawyer.

JERRY WAYNE

Dang, Am I a suspect?

ALVIN

Here below is a waiver form. And as you can see here, it just says you understand those rights, that you are waiving those rights freely, knowingly and voluntarily, and that I have not promised or threatened you in any way. By signing below, you are waiving your rights and agree to talk with me without a lawyer being present. Any questions?

Alvin looks Jerry Wayne eyeball to eyeball. Jerry Wayne clears his throat.

JERRY WAYNE

I sign where?

ALVIN

Right there. And in the blank up there, put how many years of high school you completed and write yes under the question, 'Do you read and write okay?'

INT. BETTY'S LIVING ROOM - DAY

APRIL

(Crying)

Oh, no! Please don't tell me Faith is dead! Please don't tell me that is why you are here!

Malcolm and Karen simultaneously put their arms around her.

KAREN

No, Sweetheart. It is not that.

APRIL

Well what is it then? I see it in your eyes, Momma, and you too, Daddy. What is it?

April looks to her parents and sheriff intently.

MALCOLM

I found something. I found
something outside near the culvert
of your driveway.

Malcolm begins to cry.

APRIL

(Screaming)
What is it? Tell me!

FRANK

(Softly)
Honey... your dad found a pair of
Faith's panties lying just inside
the culvert... There was a little,
just a little bit, of blood on
them.

April screams and brakes away from her parents and shuns
their attempts to embrace her again.

INT. INTERROGATION ROOM - DAY

ALVIN

Now here is one other form. This
just says you give me consent to
take a DNA swab or sample. It does
not hurt. I just rub this large
looking Q-tip thing against your
inner cheek. That okay?

Alvin pulls the swab from his notebook. Jerry Wayne signs the
form. He opens his mouth and looks up at the ceiling as Alvin
swabs the inside of his left cheek. Alvin places the swab in
a plastic bag and seals it.

ALVIN

Alright, thank you, Jerry Wayne.
What you say I get us a little
something to drink? Non-alcoholic,
of course... You want a Coke or
something?

JERRY WAYNE

Yeah, a Coke would be great.

Alvin quickly leaves the room and heads directly to the video
room.

INT. VIDEO ROOM - DAY

Deputy Dawson is watching the screens.

DEPUTY DAWSON
 Good job on the waiver, as usual.
 ...why didn't you run for Sheriff?

ALVIN
 Stewart County is seventy percent
 White... Not good odds.

DEPUTY DAWSON
 ...You think he will say anything?

ALVIN
 Hard to tell...

Alvin watches Jerry Wayne on the monitors.

INT. INTERROGATION ROOM - DAY

Jerry Wayne just sits waiting and smacks his lips. He looks at the clock on the wall. Five minutes pass.

JERRY WAYNE
 (mumbling)
 Come on, old man, where you at?

Clock on the wall, ten minutes pass.

JERRY WAYNE
 Why can't I remember? Come on,
 Jerry Wayne think! What happened
 after halftime?

The video camera on the wall, stares back silently. The door opens and Alvin returns with two cans.

ALVIN
 Sorry... Dawson caught me in the
 hallway and I got held for a few
 minutes.

JERRY WAYNE
 No problem.

Alvin pops his Coke, takes a sip and sits down. Jerry Wayne opens his slowly and takes a big, long gulp.

ALVIN

Jerry Wayne, I will get to some of the preliminaries in just a bit, but first I want you to tell me everything you remember about yesterday up until Faith's disappearance.

JERRY WAYNE

Well, sir,... Me, April and Faith got up around eight that morning, I guess...

ALVIN

Faith sleeping with y'all?

JERRY WAYNE

No, sir, she was sleeping in her room.

Alvin nods.

JERRY WAYNE

Anyway, we got up. April fixed some breakfast. I went outside, got the paper and read it, mainly about Alabama's game. Got in the shower... We all got ready and went to church.

Jerry Wayne scratches the table nervously, but unaware.

ALVIN

Did y'all go in your truck or April's car?

JERRY WAYNE

April's car.

ALVIN

When is the last time you used your truck?

JERRY WAYNE

That would have been Friday, I was off. Went fishing.

ALVIN

Where?

JERRY WAYNE

Martin's Landing. I put in there. I have a small boat.

ALVIN
Go anywhere Saturday?

JERRY WAYNE
No, other than work. Man, I don't know what I was thinking earlier when I said Friday was the last time I drove my truck. I went to work in it Saturday. I'm sorry about that.

ALVIN
No problem. So, you just went to work on Saturday?

JERRY WAYNE
Well, I did stop off and got my oil changed on my way home. But other than that, I was just around home.

ALVIN
April or anybody else ever drive your truck?

JERRY WAYNE
(laughs)
No, sir. She can't. It has a stick shift and it kinda grinds a little bit. I'm about the only one who can drive the thing. April sure can't. It scares her to even hear the grinding.

Alvin smiles.

ALVIN
So, back to yesterday, y'all went to church in April's car. Which church?

JERRY WAYNE
Immanuel Baptist. After church, we came back home. We stopped off at Sonic first, and got something to eat, actually. Then we went on home. Then, April put Faith down for a nap. I started watching some football, and April was doing some ironing, I believe.

ALVIN
Okay. So what happened next?

JERRY WAYNE

Well, I about half-way napped around as I watched TV, just flipping channels from ballgame to ballgame. I probably ate me a snack.

ALVIN

Anything to drink?

JERRY WAYNE

No, sir, as a matter of fact, I think I just ate an orange. Yeah, I just ate an orange. Faith woke up around three or three thirty, I guess. I played with her some. It eventually got time for April to go to work.

ALVIN

Where's she work?

JERRY WAYNE

The hospital. She pulled a twelve hour shift starting at six. She kissed both Faith and me, and headed off to work around fifteen til. After April left, I fixed Faith some mac-n-cheese, and we both ate some of that. I guess that was around six-thirty. Then I bathed her and put her to bed at around eight.

ALVIN

Was she asleep when you put her to bed?

JERRY WAYNE

Naw, she's a good baby. Always has been. You don't have to rock her or anything. You can just lay her in there and she will play around and then 'fore you know it, she's asleep. She don't never cry or nothing. Very rare.

ALVIN

You remember what she was wearing?

JERRY WAYNE

Not really... Now April can tell you what Faith had on two weeks ago, but I don't pay much attention. I just grabbed her jamas out of the drawer and a pair of panties.

ALVIN

Well, think hard because this is important. It might help someone recognize her.

Jerry Wayne shakes his head.

JERRY WAYNE

All I remember was it was a nightgown type. You know, like a big shirt. I like those because you just have to plop them on over her head. Now.. which one? She's got several. It probably had a heart... or someone on it. She loves all of the Cotton characters. Man, I wish I could remember... I can't.

ALVIN

And the panties. What about those?

JERRY WAYNE

I don't know, but they would have been colored and probably had Minnie or somebody on them.

ALVIN

My granddaughter has some with a little mermaid on them... Faith have any of those?

JERRY WAYNE

Yeah, yeah, sure does. She loves mermaids, too.

ALVIN

So, you put her to bed. And it was what time again?

JERRY WAYNE

About eight.

ALVIN

So, what did you do after that?

JERRY WAYNE

Well, I went back in the den. April calls it the great room; I call it the den. I passed through the kitchen and grabbed me a beer and a bag of chips. I got in my recliner and started to watch the Alabama-Arkansas replay.

ALVIN

So, you started watching the game. How long did it stay on? Ten-thirty... eleven?

Jerry Wayne pauses.

JERRY WAYNE

Yep.

Jerry Wayne shifts his weight in the chair and rubs his chin.

ALVIN

Yep? That's no answer. Was it ten-thirty or eleven?

JERRY WAYNE

I didn't pay no attention.. Eleven, I guess... It could have been ten-thirty.

ALVIN

Well, did you watch anything after it went off?

JERRY WAYNE

Naw. I... went... to bed.

ALVIN

How many beers did you drink that night?

JERRY WAYNE

A couple.

ALVIN

What you mean a couple? How many?

JERRY WAYNE

A couple, I said. Two. I don't know. I might have had more. It's not important.

ALVIN

(snapping back)

I'll be the judge of what is important, Mr. Lachey. A child is missing. The adult she was with last said he had been drinking. I want to know how much! Now was it two, three, ten or what?

JERRY WAYNE

Okay. It was three... I had three beers.

ALVIN

Thank you. So, then you went to bed somewhere between ten-thirty and eleven. You are not sure of the time, but it was right after the game was over, right?

JERRY WAYNE

Right.

ALVIN

What station was it on? The game I'm talking about.

JERRY WAYNE

Charter Sports South, I believe it is called. It is channel thirty-one on cable.

ALVIN

Before you went to bed, did you speak to anyone on the telephone?

JERRY WAYNE

No.

ALVIN

I don't believe I saw a computer in your trailer. So, I assume you spoke to no one on a computer: email, instant message?

JERRY WAYNE

Right... We don't have no computer.

ALVIN

What about your cell phone, did you text anyone or receive a text message from anyone last night?

JERRY WAYNE

No. I just watched the game and went to bed.

ALVIN

Did you hear or see anything suspicious?

Jerry Wayne pauses for a few seconds.

JERRY WAYNE

No... But I run a fan at night in our bedroom. I can't sleep if it's too quiet.

ALVIN

Were the doors locked when you went to bed?

JERRY WAYNE

I'm sure they were. I don't remember... for sure, but I always check them before I go to bed. So, I know they were locked.

Alvin flips open his notepad.

ALVIN

Where do you work?

JERRY WAYNE

Piggly Wiggly's.

ALVIN

Was there anyone at Piggly Wiggly or anyone period who you had a recent disagreement with?

JERRY WAYNE

Naw. None that I can think of.

ALVIN

Well, do you have any enemies of any kind?

JERRY WAYNE

I really don't. I don't know of anyone who just out and out dislikes me. I try to get along with everyone best I can.

ALVIN

What about April? You know if she has gotten sideways with anyone?

JERRY WAYNE

Naw. I think several months ago, some nurse wanted April to cover a shift for her and she wouldn't do it. She got a little mad. But I mean it was nothing. They made up pretty fast. You know the way women are.

ALVIN

What about, have you seen anyone hanging around your place lately, a stranger or otherwise?

Jerry Wayne paused.

JERRY WAYNE

No, I can't think of anything. Sure can't.

ALVIN

What about when y'all have been out with Faith, anyone ever take a particular fancy to her?

JERRY WAYNE

Well... Faith is a doll. She is cute as a button. So everyone is always going on about her, and making a fuss over her. But, no, I can't say that I remember anyone... acting in like a weirdo kind of a way or something.

ALVIN

Now, you are not Faith's biological father are you?

JERRY WAYNE

No. but I'm her daddy, you know what I'm saying? I might not be her biological father, but I'm all she's ever known and I couldn't imagine loving a child more than I love that girl. April got pregnant in college. And the jerk got lost after she told him... I've never met him.

ALVIN

Jerry Wayne, can I be honest with you?

JERRY WAYNE

Yes.

ALVIN

I have a problem. You are the child's stepfather. I know you said you love her and I am not saying you don't... but the fact remains you are the stepfather.

Jerry Wayne nods.

ALVIN

And, statistically speaking we see more sexual abuse cases between stepfathers and daughters than any other incest type crimes.

JERRY WAYNE

No... no way!

ALVIN

Let me finish. Here me out. I want you to see where I am coming from... the situation I am in.

JERRY WAYNE

Situation you are in! What about the situation I'm IN?

ALVIN

In addition to being the stepfather, you were the last person with Faith. The last one to see her alive. Statistically speaking, the last person to see a missing child alive had something to do with her disappearance ninety percent of the time. Ninety percent of the time!

JERRY WAYNE

(yelling)

You are way off!

Jerry Wayne scoots his chair back from the small table.

ALVIN

No, Jerry Wayne. I'm not way off. I don't think I am off at all. You see we found some panties, Jerry Wayne. Some little mermaid panties with blood on them near your driveway. You were the last person with Faith, you the stepfather. There was no sign of forced entry. The only way that two year old child got out of there is if you let her out, or you took out. And that brings me to your truck, we found more blood, Jerry Wayne. And I'll bet you and Las Vegas on whatever odds you will give me that it is Faith's blood in your truck! That's my situation! Now, cut the crap and level with me!

JERRY WAYNE

(sobbing)

I don't remember.

ALVIN

Yeah you do, Jerry Wayne. Now come clean. Tell me what happened? Where's the girl? Where's Faith?

JERRY WAYNE

I gotta go to the bathroom.

ALVIN

Don't give me that.

Jerry Wayne does now remember the magic words.

JERRY WAYNE

I want a lawyer.

Alvin slams his hand down on the table, and grabs his notebook from the table. He opens the door to leave.

ALVIN

You better have a good one!

EXT. SHERIFF'S OFFICE - LATE AFTERNOON

Malcolm and Jerry Wayne walk to Malcolm's truck and get in.

INT. MALCOLM'S TRUCK, LATE AFTERNOON

MALCOLM

How'd it go?

JERRY WAYNE

that Alvin Johnson guy just asked me a bunch of questions. I think they could have spent their time better by looking for Faith... been any news?

MALCOLM

No.

He starts the truck and pulls away from the office.

FADE TO BLACK.

EXT. SHERIFF'S OFFICE - MORNING

Two camera crews approach Frank as he gets out of his SUV. Beads of sweat quickly pop up on his forehead and upper lip.

REPORTER 1

Sheriff, any closer to finding Faith?

FRANK

Well, we are doing all we can, right now... Our investigation is proceeding.

REPORTER 2

Is it true that the step father, Jerry Wayne Lachey, is your number one suspect?

FRANK

Well, I never said that. We are looking at all angles at this point.

REPORTER 2

Including Mr. Lachey.

FRANK

Yes, that would include Mr. Lachey.

REPORTER 1

Wasn't blood found in his truck?

FRANK

How did you find out about that? I mean, we ain't releasing any information about what we have or have not found at this time.

REPORTER 1

So, you are not denying blood was found in Mr. Lachey's truck?

FRANK

Listen, y'all. I never said nothing about no kind of blood in no truck.

He waived his arms and stepped passed the reporters and crew

FRANK

That's all I have to say right now.

After he walked a few steps, Frank stopped and turned around.

FRANK

(smiling)
Will that be on the noon news?

INT. BETTY'S LIVING ROOM - DAY

April endures the cameras and the questions as well as she can.

REPORTER 3

Tell us about Faith?

April squeezes a worn tissue tightly with one hand, and firmly grasps the hand of her mother with the other.

APRIL

(sniffing)
Oh, where do I begin? She is just the most precious thing. I have never had a minute's trouble with her. She is just so loving. She loves to pat my hair and say, 'You've got pretty hair, Mommy. You've got pretty hair.'

April laughs then, moves to a cry.

REPORTER 3

The Sheriff's Office has said they believe foul play is involved. Do you share that same belief?

APRIL

Oh yes. As much as it scares me to think that someone has taken my baby, I know she would have never walked off by herself in the dark. She was afraid of the dark. She just would not have done it.

REPORTER 3

If her kidnapper is listening, what would you say to them?

APRIL

(voice cracking)

Just bring her home. Bring Faith home. She's just a little girl. She needs her Mommy and her Daddy. I don't know who you are and I don't have to know. Just bring her to me. I don't care about you going to jail. I can forgive you, if you just bring back my baby.

EXT. TRAILER DRIVEWAY - MORNING

With his evidence bag in hand, Alvin wastes little time in approaching Jerry Wayne's boat. Alvin walks around the boat first. He opens his evidence bag and puts on some latex gloves. He steps on the boat trailer and crawls in the boat. He examines the seats carefully.

He crouches and pans the boat. He sees something near the rear of the boat. It is some smeared blood on the decking of the boat, just drops. He takes a couple of photographs. Then he carefully cuts out the two inch by three inch piece of carpet, drops it in a zip lock bag, then a manila envelope. He logs the date, time, and place it was recovered.

INT. LUCY'S KOUNTRY KITCHEN - DAY

FRANK

I'll have the fried chicken, pinto beans, mashed potatoes with gravy, and the creamed corn... Did Miss Lucy make any of that Chocolate cake of hers?

WAITRESS
Going fast... Still got a few
pieces left.

FRANK
Well, give me a slice of that and a
coke.

WAITRESS
What kind?

FRANK
Co-cola... And I want the bottle.

WAITRESS
Awright. And for you, sir.

ALVIN
I'll go with the pork chops, with
stewed okrie, turnip greens, and
I've got to have some of that cream
corn. Pecan pie for dessert
and...un-sweet tea.

WAITRESS
Alrighty.

She turns and heads for the kitchen. The Sheriff takes a sip
of his ice water.

FRANK
So what did y'all come up with?

ALVIN
I went back to the Lachey
residence... to look around again
before we turn it back over to
them. Checked out his boat.

FRANK
Yeah. Did you find anything?

ALVIN
Yes, I did. Found some more blood.
Maybe a little more than what was
in the truck. And it looked like he
tried to wipe it up. It was on the
deck of the boat. I, of course,
retrieved it.

FRANK
Any chance it was fish blood?

ALVIN

Most everybody I know around here cleans their fish when they get home. Plus there were no signs of fish guts or anything around. Of course, I am going to get it down to DFS in Birmingham.

FRANK

Good, good.

The waitress sets their plates mounded full of Lucy's wonderful food on the table.

WAITRESS

Be right back with your drinks.

FRANK

Any idea when you will hear back?

ALVIN

Yeah. I spoke with Burks down there. He says, he'll do me a rush job on it. I should hear something in the next couple of days on samples we'd sent. I contacted the rescue squad. They are supposed to start searching the river.

FRANK

Man... Think they will find any thing?

ALVIN

Hard to say. If Lachey did not weight the body down, then it would come to the top in a matter of hours to a couple of days. If he weighed it down, it will be tough.

FRANK

So, you think he killed her?

Alvin nods yes, as he takes a bite of creamed corn. The waitress sets their drinks on the table. Alvin takes a quick sip of tea to cool the corn in his mouth. He reaches for some sweet-n-low to add to the drink.

FRANK

Why, I wonder?

ALVIN

Don't know that, yet. I haven't looked into insurance at this point. That might be something. From the looks of things, they're not the wealthiest of people. Don't know what kind of debts or anything... You know, we need to get somebody watching Lachey all of the time.

FRANK

(wiping his mouth)

I hear you. I think I need to get Malcolm and tell him where this thing is heading. And, April, that little darling, doesn't have a clue. She said it's no way Jerry Wayne could have hurt the baby.

ALVIN

Let's get the surveillance set up on Lachey first. Then you tell Malcolm... but don't tell him about the boat. We'll see what ol'Jerry Wayne will do. Maybe something stupid like returning to where he dumped the body.

FRANK

Shoot, we got search teams all over the county looking for a little girl. You think we should call them off?

ALVIN

No... Not yet. Let's see what we find. I could be wrong. But everything is pointing to the river and Lachey. I figure he got out on his boat and dumped the body. I could be wrong. But I doubt it.

EXT. MALCOLM'S DRIVEWAY - AFTERNOON

Malcolm speeds into the driveway and slams on his brakes. He promptly marches into his house.

INT. MALCOLM'S HOME - AFTERNOON

MALCOLM
(demanding)
Jerry Wayne!... Jerry Wayne! Get
out here!

Karen and April both enter the greatroom from the kitchen.

KAREN
Malcolm?

APRIL
What's going on?

MALCOLM
Where's Jerry Wayne?

KAREN
He's out back...

Malcolm immediately heads for the outside door leading to the back patio. Karen and April follow.

EXT. MALCOLM'S HOME - AFTERNOON

MALCOLM
(yelling)
Jerry Wayne!

Jerry Wayne steps out of the out building with the staple gun in hand.

JERRY WAYNE
(puzzled)
Yeah?

MALCOLM
Where is she? What did you do with
Faith?

He quickly meets face to face with Jerry Wayne.

MALCOLM
You tell me! Where is she?

JERRY WAYNE
(calmly)
Malcolm, I don't know where she is.
You know that! I searched all day
with you yesterday.

MALCOLM

(screaming)

Don't give me that! I ain't buying that! Now where is she?

APRIL

Daddy, What are you doing? Jerry Wayne would never hurt Faith.

MALCOLM

Oh really? Well why was there blood in his truck? Why was there blood in your truck? The sheriff just told me they found blood in his truck!

JERRY WAYNE

In my truck? Well, there must be some explanation... It could be fish blood or something.

MALCOLM

Fish blood? Well, when did you go fishing? When did you last go fishing?

JERRY WAYNE

Friday. I went Friday. Malcolm, you are making a big mistake. I didn't do anything to Faith. I promise!

MALCOLM

Well, tell us then, Jerry Wayne, why you asked for a lawyer when the investigator was talking to you! Tell us that!

APRIL

Jerry Wayne? Is this true? Did you ask for a lawyer?

April begins to cry. Jerry Wayne looks away from her, then back.

JERRY WAYNE

I just wanted the interview to be over with, Baby. That's all. That's why I did it. I was in shock.

APRIL

How could you, Jerry Wayne? How could you? What have you done with Faith? Where is she?

JERRY WAYNE

I ain't done nothing with Faith.
Honest. I haven't. You have to
believe me! I don't know. I wish I
did, but I don't know. Honey, you
know I would never hurt Faith.
Surely, you know that.

APRIL

I don't, Jerry Wayne! I thought I
did. I wanted to believe you, but
not anymore.

JERRY WAYNE

April!

MALCOLM

Get off my property!.. You make me
sick! If you ain't going to tell me
where our baby is... get out of
here before you make me do
something I'll regret!

JERRY WAYNE

April?

APRIL

Get away from me! Take the
trailer... the car... Just leave.

MALCOLM

You heard her! Get outta here...
don't come back until you are ready
to tell us what you did with Faith.

EXT. TENNESSEE RIVER - MORNING

Alvin and EDDIE CAMERON slowly proceed down the river in the
rescue squad's lone boat. A simple flat bottom boat with an
outboard motor.

EDDIE CAMERON

You think her daddy, did something
to her?

ALVIN

His name is Jerry Wayne, and he is
her step daddy. He has not been
eliminated as a suspect.

EDDIE CAMERON

Well, if he did do something to her
and I have to pull a blue faced
little girl from this river, I hope
they fry the S.O.B.

ALVIN

Well, they already un-plugged
"Yellow Momma" to make way for
lethal injection, but I know what
you mean.

EDDIE CAMERON

...too easy. That's like putting a
dog to sleep... too good for 'em.
And shoot, it takes forever before
they even get around to it... over
there.

Eddie points to the shallow waters near the southern bank. She is partially submerged, caught on a root extending out from the bank. She moves gently with each wave of the river. Alvin recognizes her immediately: the sweet little mermaid. This time she is not on panties, but rather a matching night gown. With his evidence kit in tow, Alvin quickly photographs the gown before removing it from the chilly water. He spreads it out on one of the boat's benches. It's in good shape. There is a ring of mud where the water line has been. But otherwise, it looks fresh.

ALVIN

This here matches a pair of panties
we found outside Lachey's
residence. Same mermaid.

EDDIE CAMERON

That's what I hate about this job.
On the one hand it's good we found
it. Gives us a good idea where to
search. On the other hand, means
she probably underneath us
somewhere.

ALVIN

Looks like this area here will need
to be our central focus... go on
down just a little further and see
if we see anything else. If not,
we'll come back and you can go in.

EDDIE CAMERON

I'll call Curtis, and see if he can
come dive as well.

Eddie lights a cigarette, takes a deep drag, and starts the outboard motor. They putter down the river.

INT. ALVIN'S OFFICE - DAY

Alvins reviews the digital photos of evidence. His desk phone rings, he answers it.

DAVID BURKS (O.S.)
Hey, Alvin, this is David.

ALVIN
Hey, buddy, what you got for me?

DAVID BURKS
Look's like you nailed it, Alvin. All three hit. The blood on the vinyl that was in the truck matched with the known DNA of Faith Phillips. The blood on the panties matched with the known DNA of Faith Phillips... the semen on the panties matched with the known DNA of Lachey, let's see... yeah, Jerry Wayne Lachey.

ALVIN
Did you say semen?

DAVID BURKS
Yeah, you didn't know there was semen on the panties?

ALVIN
No, I just noticed the blood and sealed them up. You are kidding me, there's semen on them?

DAVID BURKS
You bet, and the odds that someone else left that semen other than Mr. Lachey is considerably more than the entire white male population south of the Mason-Dixon line.

ALVIN
Can you fax me those reports?

INT. D.A.'S OFFICE WAITING ROOM - DAY

Sheriff Adams and Investigator Johnson walk in the welcome area of the D.A.'s plush office and approach the secretary.

FRANK

You all right?

BLONDE SECRETARY

Yes, gentlemen. Mr. Pugh is expecting you. Just go on back to his office.

They pass through glass doors that close behind them.

BLONDE SECRETARY (O.S.)

Mr. Pugh, the Sheriff is here to see you.

ALVIN

Well, Rick has gotten him another good looking one. Every time I come over here, he has a new receptionist.

INT. D.A.'S OFFICE - DAY

They enter Pugh's office, he is on the phone.

RICK

No, Linda. When you dial double zero it broadcasts over the entire office. My extension is zero one. Say that out loud, 'zero one.'

He hangs up the phone and stands up to greet the sheriff and Alvin.

RICK

Y'all have a seat.

He motions toward the two chairs directly in front of his cherry desk. He is relatively young, forty-three, and to look at him you would think he would belong more on Wall Street than Main Street in Bronwood, Alabama. The sheriff and Alvin sit in the comfortable leather chairs. Rick resumes his seat as well.

RICK

So, where are we on this Lachey thing?

ALVIN

Well, we just had a big development. We heard from DFS.

RICK

What did you find out?

ALVIN

The blood matched the girl's. But the big news is Lachey's semen was found on her panties. Either it's his semen or he's one unlucky bastard. The odds it was someone else's is seventy-six million to one.

Rick grits his teeth.

RICK

Still no body found?

ALVIN

No, sir... We got the rescue squad still looking.

RICK

What are the chances of finding her? She probably didn't weigh much.

ALVIN

The mother tells us she weighed twenty-seven pounds. She's a little thing. If he used any weight at all, it will be a miracle if we found her. An un-weighted body would have already risen to the surface by now.

RICK

That was what I was afraid of.

ALVIN

And that makes it a problem because although we have his semen on her panties, we cannot prove penetration or any sexual contact for that matter.

RICK

We've still got murder, capital murder as far as that goes because she was a child. We can still make a circumstantial case. What about your stuff from DFS, you got it back yet?

ALVIN

They're bringing it this afternoon. I think they still have to test the blood on Lachey's boat, but the rest will be here this afternoon.

RICK

Okay, here is what we are going to do...

EXT. TRAILER - AFTERNOON

Alvin knocks on the door.

ALVIN

Would you mind stepping out on the porch, please, Mr. Lachey.

JERRY WAYNE

I told you I'm not talking to you.

ALVIN

I understand that, but I need you to step out on the porch.

Reluctantly, Jerry Wayne steps on the porch. Immediately, two deputies simultaneously grab him, spin him around and slam Jerry up against the trailer. Handcuffs ensue.

ALVIN

Mr. Lachey, you are under arrest for the capital murder of Faith Phillips! As I have told you previously, you have the right to remain silent...

JERRY WAYNE

You are making a big mistake. I didn't DO anything with faith...

ALVIN

Anything you say can and will be
used against you in a court of
law...

EXT. MALCOLM'S HOME - AFTERNOON

Sheriff Adams walks up the front sidewalk, he is startled
when April bursts open the front door.

APRIL

Tell me you have not found Faith in
the river!

FRANK

No, honey. We have not found Faith,
but we need to talk.

EXT. COURTHOUSE - AFTERNOON

A crowd of reporters and camera crews gather around the north
steps of the Stewart County Courthouse. D.A. Rick Pugh walks
out of the two glass courthouse doors, joined by Sheriff
Adams and Investigator Johnson.

RICK

...One thing I know you are all
wondering... at present we have not
found the body of little Faith. And
as much as we would have loved for
this investigation to have gone
some other way, we have little hope
of finding her alive. We do believe
we can prove, and prove beyond a
reasonable doubt that Mr. Lachey
committed murder. But I want to
stress two things: first, Mr.
Lachey is presumed by law to be
innocent. We want to try this case
here in our county, where the
offense took place and were the
victim's family lives. So, I do not
want to taint any potential juror
in any way. Mr. Lachey is presumed
by law (not by me) but by the law,
to be innocent. The other thing I
want to stress is this...

RICK(cont'd)

let this go forth, that anyone who harms a child here in Stewart County will awaken the wrath of me, and my office, the sheriff and his office, and indeed I say the entire county. We will not rest until justice is served. We will not rest. I thank you for your time, and God bless the Phillips family and this county.

INT. COUNTY JAIL - AFTERNOON

DEPUTY DAWSON

Here, put this on.

He throws a heavy black vest to Jerry Wayne. Jerry is completely naked.

JERRY WAYNE

What is it?

DEPUTY DAWSON

It's a bullet proof vest. We don't want some redneck knocking you off before the State gets to do it right. We're taking you over to Judge Lacy for an initial appearance.

Dawson goes through Jerry's clothing piece by piece, looking for any type of contraband. He tosses Jerry Wayne his underwear.

DEPUTY DAWSON

You can put these back on... You can have two more pair, if you can get someone to bring you some.

Dawson hands him a pair of thin black flip-flops and an orange and white striped pair of coveralls to put on.

INT. COURTROOM - AFTERNOON

Two deputies and Jerry Wayne enter Judge Lacy's courtroom. The D.A. Rick Pugh is standing by the prosecution table.

RICK

I'll go get the judge.

He quickly heads to the judge's chambers. In a moment, Rick returns and stands near the bench. The loudspeakers blare.

BAILIFF

(O.S. from loudspeaker)
All rise. The Circuit Court of
Stewart County, Alabama is now in
session, the Honorable Claude Lacy
presiding. God bless this court and
its judge.

Judge Lacy, wearing his robe, enters with his law book tucked
under his right arm. He takes a seat and looks sternly at
Jerry Wayne.

JUDGE LACY

Jerry Wayne Lachey, you can
approach the bench...
You have been charged with capital
murder, which is not bondable as a
matter of right. Do not discuss
with me the facts of your case, as
anything you say can and will be
used against you. But do you have
anything to say as to why I should
set you a bond in this case?

JERRY WAYNE

Well, sir...

JUDGE LACY

It is Your Honor, not sir! Address
the court as 'Your Honor'

JERRY WAYNE

Sorry, sir—I-I mean Your Honor,
sir. Uh, I just need a bond set
where I can get back to work and
try to hire a lawyer.

JUDGE LACY

What kind of bond could you make?

JERRY WAYNE

I don't know. Maybe \$5,000?

JUDGE LACY

Well, I can tell you even if I set
a bond, it will be considerably
more than \$5,000. What say ye, the
State?

RICK

Your Honor, we ask that no bond be
set in this case.

RICK(cont'd)

This is a serious charge of capital murder of a little girl who was only two and a half. Two and a half, Your Honor. This man is looking at least at life in prison without the possibility of parole and possibly the death penalty. He is right where he belongs, because he would be a huge flight risk if he made bond. Outside his wife and her family, he has no roots of any substance around here. And it is my understanding his wife, the mother of the victim, is no longer having anything to do with him due to his killing, or allegedly killing her precious daughter. Accordingly, this is a no bond case, Your Honor.

Judge Lacy looks at Jerry Wayne and waits.

JERRY WAYNE

What? Is it my turn?

JUDGE LACY

I'm looking at you, ain't I.

JERRY WAYNE

Well, I don't know what else to say, other than I ain't killed Faith and I want out of jail.

The judge suddenly slams down his gavel.

JUDGE LACY

NO BOND! Are you going to be able to hire a lawyer?

JERRY WAYNE

Well, no. Not if I'm in jail and I probably couldn't if I was out working. I don't make that much... I would like a trial as fast as possible.

JUDGE LACY

Mr. Lachey, I am not impressed with your oral motion for a speedy trial when you have only been in custody less than a half-day. But I have noted the same and I will further show it is denied.

JUDGE LACY(cont'd)

I can tell you, however, as my usual practice in capital cases, I will set your trial separately from the other trials we have and once both sides are ready, I will set a date.

JERRY WAYNE

(head down)

Thank you.

JUDGE LACY

Your Honor!

JERRY WAYNE

Your Honor. Sorry.

JUDGE LACY

What are your assets?

JERRY WAYNE

I have a boat, a truck, and a trailer. But April is part owner of all three.

JUDGE LACY

Do you want me to appoint you a lawyer?

JERRY WAYNE

Well, yeah. I mean, yes, Your Honor... I know I need one and that is the only way I can afford one.

JUDGE LACY

Due to the nature of the charge, I will appoint you two lawyers. One or both should come to see you in the next day or two. You may take him away.

Jerry Wayne is escorted out by the deputies. The judge comes down from the bench.

JUDGE LACY

How soon can you be ready, Rick?

FADE OUT.

INT. COURTHOUSE - MORNING

Jay shakes the cold rain off of his umbrella as he enters the Stewart County Courthouse early Tuesday morning. He climbs the stairs to the second floor.

INT. COURTHOUSE OFFICE - MORNING

As he walks into the secretary's office, Mike Arnold sips a cup of coffee.

MIKE ARNOLD

Hey, there! Jay, isn't it? You met Andrea?

JAY

Yes, on both counts. How, y'all doing?

MIKE ARNOLD

You know why we're here, don't you?

JAY

Nothing other than what Andrea told me: the judge wanted to appoint me on some case.

Mike laughs.

MIKE ARNOLD

Some case... I guess you could call it that.

Judge Lacy opens the door to his chambers.

JUDGE LACY

Y'all come on back, gentlemen.

INT. JUDGE'S CHAMBERS - MOMENTS LATER

JUDGE LACY

As you know, I am sure, Jerry Wayne Lachey was indicted and arrested yesterday for capital murder. Either of you gentlemen know why you could not represent him?

MIKE ARNOLD

No, Your Honor.

Mike takes another sip of his coffee. The judge looks to Jay.

JAY

Your Honor, I don't know. I've only been practicing a couple of weeks?

JUDGE LACY

Well, I can take that in two ways, Jay. Either you are a good ethical lawyer worried about your future client and your ability to meet his constitutional rights in a case of possibly life and death consequences; or you are just afraid period. I choose to think it is the former, rather than the latter.

JAY

I appreciate that.

JUDGE LACY

But I think you are more than qualified to do the job in this case. You are not going to be lead counsel, Mike, here, will be lead. He has tried... How many, Mike?

MIKE ARNOLD

This would make my fifth, Judge.

JUDGE LACY

His fourth, Mike has tried four of these... You will be just assisting him and learning for future cases down the road. In cases of this magnitude, I always appoint two lawyers: one with ten years or more of experience, and another with just a couple of year's experience. Since you are the new kid on the block, and you expressed an interest in criminal law to me the other day, I believe you will make an excellent choice.

MIKE ARNOLD

If I can get some young ladies on the jury, having ol'Jay here sitting beside me and our client, may help get us an acquittal, Judge.

JUDGE LACY

How about it, Jay? Are you up for the challenge?

JAY

Count me in, I guess.

JUDGE LACY

Good. Good. And by the way, in a closing argument, never say to a jury... "My client is completely innocent of these ridiculous charges... I guess."

INT. JAILHOUSE - DAY

MIKE ARNOLD

We will just kinda introduce ourselves to Lachey today. I would really like to get the discovery from Rick, first. Have you met, Rick Pugh, the D.A.

JAY

Yeah, I met him briefly at the arraignments the other day.

MIKE ARNOLD

Well, I would like to get the discovery from him before we have any detailed discussions with Lachey.

JAY

Sounds good to me. You're the boss.

MIKE ARNOLD

Look out now, I ain't the boss. We're a team. I will have plenty for you to do. You will learn something. I ain't saying it will be good, but you will learn something.

A large, thick steel door opens from the inside by a guard. Jay and Mike enter deeper into the jail.

JAY

Man, that is rank. What do they feed'em around here?

MIKE ARNOLD

Fake eggs and grits for breakfast, beans and cabbage for lunch, beans and weenies for dinner... just about every day. You think the cabbage smell is bad. Come talk to a client around three-thirty. Mix this with about forty men's worth of bean farts. Then you really got something. If you could bottle it up, it'd be better than pepper spray!

INT. JAILHOUSE MEETING ROOM - DAY

They arrive to a room with a desk and a couple of chairs. On one side of the room is a wall with a large glass window with a six inch square opening at the bottom. Jerry Wayne is seated on the other side of the glass. He is alone. Mike extends his hand through the small opening and shakes Jerry Wayne's hand. Jay does the same.

MIKE ARNOLD

Judge Lacy has appointed us to represent you, Jerry Wayne. Are they treating you okay?

JERRY WAYNE

Pretty good, I guess. They got me away from the others. I am pretty much alone except when they bring me food or something.

MIKE ARNOLD

Well, I have been doing this a long time... this here is Jay Davis. He's real sharp and he's going to be assisting me. Listen, Jerry Wayne. We've just come by today to more-or-less introduce ourselves. We're going to meet with the D.A. as soon as we can and go over your discovery. Then we will get with you and talk more about your case.

JERRY WAYNE

What about me getting out of here on bond? Any chance of that?

MIKE ARNOLD

We will file you a motion to reduce bond, but don't get your hopes up.

MIKE ARNOLD(cont'd)

I doubt he will set you one on a case like this.

JAY

Do you have any family around here?

JERRY WAYNE

Not really... My parents wern't any count. I just got passed around from foster home to foster home.

MIKE ARNOLD

What about work. You work any where?

JERRY WAYNE

Yeah. Piggly Wiggly. My boss had put me on leave though when all of this came up.

MIKE ARNOLD

Well, that will make it tough. I don't see Judge Lacy reducing your bond. But we'll file a motion for you and send you a copy.

JERRY WAYNE

Thank you. I appreciate it.

MIKE ARNOLD

Again, Jerry Wayne, we are here for you. And we'll be back in touch after we meet with the D.A.

JERRY WAYNE

Okay.

INT. DISTRICT ATTORNEY'S OFFICE - DAY

Jay looks over a thick stack of papers and rubs his forehead.

JAY

Guess it did not take the grand jury long to indict on that kind of evidence?

RICK

Eighteen votes to zero in about five minutes after I left the room.

MIKE ARNOLD

I'm not surprised. Well, let us talk to our client and see what he has got to say. Are you going to be going for the death penalty?

RICK

Probably.

INT. JAY'S APARTMENT - DAY

Jay grabs the ringing kitchen phone in his apartment while donning his blue sports coat.

CATHERINE (O.S.)

Good morning, hun.

JAY

Good morning, Mother.

CATHERINE

You about to go to work?

JAY

Yeah, I was walking out the door. How are you and Daddy doin'?

CATHERINE

We are fine. Your daddy is out checking on some cows. Somebody called this morning and said some were out over at 'the old Place'.

JAY

Hey, I really need to get going. I'm about to meet Mike Arnold over at the jail. We're going to talk with our new client, Jerry Wayne Lachey.

CATHERINE

Well... that is what I wanted to talk with you about. I've been reading about that in the paper. Son, that man is guilty, I mean guilty, now!

JAY

Mother, do the words presumption of innocence mean anything to you?

CATHERINE

Lord, what he did to that child.
Oh, I know she suffered.

JAY

Well, I hope you don't get picked
on his jury, even if I am
representing him.

CATHERINE

You don't need to be representing
someone like that. I've had three
different people call me this
morning asking why on earth you
were representing that man..

JAY

Mother, I was appointed. I didn't
have a choice!

CATHERINE

Well, I would have told that judge
that I thought he was guilty and I
couldn't represent somebody like
that.

JAY

It doesn't work that way, Mother.
Everyone has a right to have a
lawyer. Listen, I need to get
going.

CATHERINE

Well, son, you be careful. They
don't put you alone in a room with
that man, do they?

JAY

No, Mother. I won't be in a room
alone with him. So, you don't have
to worry about him killing me or
anything.

CATHERINE

You laugh. But you never know.
Somebody that would do something
like that to a child... Oh, I just
pray she was already dead before he
threw her into that river. Oh, it's
just awful!

JAY

Mother, you don't know that he
threw her into the river. You were
not there! Listen, I've got to run.

CATHERINE

Okay, son. I love you.

JAY

I love you, too.

Jay hangs up the phone and hurries out the door.

INT. JAILHOUSE MEETING ROOM - DAY

Jerry Wayne is not yet on the other side of the glass window.

MIKE ARNOLD

What you got goin' on today?

Mike takes a sip of coffee.

JAY

Not much. My phone is not exactly
ringing off the hook, I thought I
would go over to Piggly Wiggly's
and talk to some people over there
who know Jerry Wayne, see what they
think of him.

MIKE ARNOLD

Good idea... You know you make
seventy-five dollars per hour on a
capital case with an unlimited cap.
If you don't have any better money
coming in, just work this. Work it
with everything you got.

The door on the opposite side of the glass window opens and
Jerry Wayne shuffles in.

JERRY WAYNE

(Depressed)

Hey...guys, they just woke me up.
That's about all I do around here
is sleep.

JAY

They not served you breakfast, yet?

JERRY WAYNE

Are you kidding? Try a quarter to five. They come in there banging around, then they serve something they claim is eggs and some soupy grits. I wouldn't give my dog that slop. They call it 'feeding'... like we're a bunch of cows or something. 'Time to feed'. Did y'all file that bond setting thing... motion or whatever you call it?

MIKE ARNOLD

Judge Lacy denied it before the ink from the circuit clerk's time stamp was dry.

Jerry Wayne drops his head, places his forearms on his thighs and just sits there not looking at either Mike or Jay.

MIKE ARNOLD

Jerry Wayne, we met with the D.A. yesterday and got our discovery. We've seen your interview video and most of the evidence. We need to talk about it.

JERRY WAYNE

Fire away.

MIKE ARNOLD

First, let me tell you this: anything you tell us is in strict confidence. We could get our law license taken away if we uttered a word. I just want you to understand that.

JERRY WAYNE

Yeah... I understand

MIKE ARNOLD

Just cutting to the chase, the toughest part of the case is going to be the semen. Any explanation on how your semen wound up on Faith's panties?

JERRY WAYNE

What?

Jerry Wayne sit straight up.

JERRY WAYNE

What did you say?

MIKE ARNOLD

The semen. Any explanation on how it got on the little girl's panties?

JERRY WAYNE

That's crazy! Who said my semen was on her panties?

MIKE ARNOLD

The D.A. A forensic scientist found it and it matched your DNA.

Jerry Wayne fumes and stands up quickly.

JERRY WAYNE

The law is trying to frame me. That's why that black old man investigator swabbed that giant Q-tip in my mouth. I bet he mixed it with something and told'em it was my semen. I tell you, I'm being framed!

MIKE ARNOLD

Easy, Jerry Wayne... Settle down and take your seat. We're trying to help you.

Jerry Wayne sits back down into his chair.

JERRY WAYNE

That's easy for you to say. You can walk outta here... You just have to tell a jailer you want to leave and you're gone. But I'm stuck in this dump and the law is trying to frame me right on to death row!

MIKE ARNOLD

So that's your explanation? That's what you want us to tell a Stewart County Jury... that the law planted it?

JERRY WAYNE

That's exactly right, because I shore didn't put it there!

JAY

How do you know? At your interview video, you said you couldn't remember?

JERRY WAYNE

Hey, I went to sleep, OKAY! I might be a little fuzzy, but I dang for sure know I didn't hurt Faith. I don't care if I drank all the beer in Stewart County, I would never hurt her!

MIKE ARNOLD

Look, Jerry Wayne. I did not mean to rile you. I'm just saying a frame up is going to be a hard sell here in Stewart County. You know that. Alvin Johnson has been here for longer than you are old. People know the kind of man he is. They just aren't going to buy it. That's all I'm saying.

JERRY WAYNE

What you're saying is 'I'm Screwed'. That's what you're saying, ain't it?

MIKE ARNOLD

It's going to be tough. With that evidence it is going to be tough. The good news for us is they haven't found a body. Technically, you can be convicted of murder in Alabama even without a dead body being found. It's been done. But that is the best part of our case... that there is no body. So, we will want to try this case as soon as possible... the quicker the better. The judge has specially set your arraignment for Monday. What time is it Monday, Jay?

JAY

Ten o'clock.

MIKE ARNOLD

I suspect at that time the judge will give us a court date. Now you should prepare yourself. The D.A.

MIKE ARNOLD(cont'd)

will announce Monday whether he is going to seek the death penalty. And I suspect he will. So, just be prepared for that?

JERRY WAYNE

Prepared for it? Ain't nothing I can do about it.

EXT. JAIL - DAY

MIKE ARNOLD

I hate it for you, Jay... having a lousy case like this for your first one. But believe me; this is going to be good experience for you, even if we lose, which we surely will. Once that blood and semen evidence comes in, it's over. We can put on all the witnesses in the world and not overcome that. I just wish Lachey would come clean. Obviously he is lying to us. The first rule of being a good criminal defense lawyer is to always remember your clients will lie to you.

JAY

Yeah...

MIKE ARNOLD

You go ahead and start talking to some folks. Milk you some time. Our role here is just to provide him with a sufficient defense to survive all the countless appeals and post-conviction petitions that are sure to follow. We just need to file some motions and put on an adequate case. That is about all you can do in a case like this.

INT. JUDGE'S CHAMBERS - DAY

Mike, Rick and Jay all sit in front of the judge's large desk.

JUDGE LACY

Gentlemen, I want to get a couple of things out of the way. First, Rick, you seeking the death penalty?

RICK
Well... judge, we had to deal
with...

JUDGE LACY
Don't give me all of that, just are
you seeking it or not?

RICK
Yes, we are, Your Honor. We're
seeking the death penalty.

JUDGE LACY
Fine. Next matter. As you know, I
don't like to sit on these cases
long. In most circuits, the judges
will drag capital cases out, and
that is just lazy, stupid and
wrong! Most of the time they are
not any more complicated than any
other murder case. The people of
Stewart County like fast justice in
these cases and that is what I
intend on giving them. Any reason
we can't try this thing by the
first week of December?

MIKE ARNOLD
We'll be ready, Judge. No problem
on our end. We could try it sooner,
if Your Honor wanted.

JUDGE LACY
I didn't ask if you could try it
sooner. I asked if you could be
ready by the first week of
December... How about you, Rick.

RICK
We'll be ready, Judge.

INT. JAIL - DAY

Two deputies escort Jerry Wayne out of his cell and down the
cell block. Inmates watch as they pass.

INMATE
Stir Fry's going to fry you.

INT. COURTHOUSE - DAY

Large number of cameras focus on Jerry Wayne. He is shackled at the feet, dressed in orange and white coveralls and a bullet proof vest. Two deputies lead him into the courtroom. A half dozen or more reporters follow. No cameras allowed in.

INT. COURTROOM - DAY

The deputies led Jerry Wayne to the judge's bench, beside Mike and Jay at the defense table. They both shake Jerry Wayne's cuffed hands.

MIKE ARNOLD

When the judge comes in, we'll walk over and stand in front of him. I'll do all the talking.

The gavel pounds three times.

BAILIFF

All rise. The Circuit Court of Stewart County, Alabama is now in session, the Honorable Claude Lacy presiding. God bless this court and its judge.

The judge enters with the big old law book under his arm. The bailiff slams the gavel one final time.

BAILIFF

You may be seated.

JUDGE LACY

Mr. Jerry Wayne Lachey, you may approach the bench.

Mike calmly walks to the front of the bench. Jerry Wayne and Jay follow. Rick joins them off to the left.

JUDGE LACY

Mr. Lachey, as you stand before this honorable court in this the Great State of Alabama, you are charged with the capital murder of Faith Ann Phillips. Do you want the indictment read?

MIKE ARNOLD

We waive reading of the indictment
and enter a plead of not guilty,
Your Honor.

JUDGE LACY

So, noted. Trial is set for
December 3rd at 9:00 a.m.

Judge Lacy slams down his own gavel at the bench.

JUDGE LACY

Court adjourned!

BAILIFF

All rise.

The judge and Rick exit.

JERRY WAYNE

Man, I never get use to that guy.
Is he going to sentence me, if I'm
found guilty? Is that "Stir Fry"?

MIKE ARNOLD

I'm afraid so. Don't worry about
that, right now... Right now, I
don't want you saying anything when
the deputies lead you back through
the press out there... don't say
anything.

JAY

How about him saying he's an
innocent man? That might be good.
I mean he says he's innocent.

JERRY WAYNE

Yeah, let me tell them I'm
innocent. I like that.

MIKE ARNOLD

Okay, whatever... But don't say
anything else.

The deputies approach and lead Jerry Wayne out of the
courtroom. Cameras flash. Mike slaps Jay on the shoulder.

MIKE ARNOLD

You're up, buddy. Go for it!

EXT. COURTHOUSE - DAY

Jay walks to his car parked on the square. A gorgeous woman walks quickly across the courthouse lawn, headed his way.

ANGELA

Mr. Davis... Mr. Davis, may I have a minute?

JAY

Yes?

ANGELA

I'm with The Decatur Times and wanted to speak with you for a moment.

JAY

Okay, and it's Jay by the way.

ANGELA

Okay, Jay... You don't remember me, do you?

JAY

No, I wish I did though.

ANGELA

(laughing)

I'm Angela McKinny. I was a few years behind you at Bronwood.

JAY

Skinny? Oh, I mean... I guess you filled out some... Wow, good to see you again.

ANGELA

Anyway... I was wondering if I could talk with you about the Lachey case?

JAY

Sure... You want to go grab something at Lucy's?

ANGELA

Okay. Sounds good.

INT. LUCY'S KOUNTRY KITCHEN - DAY

Jay sits across the table from Angela.

JAY
So you're with The Decatur Times?

ANGELA
Yeah, yeah... So, you like being a lawyer?

JAY
Well, I've not been one that long, but I think I'm going to like it.

ANGELA
My last boyfriend was in pre-law....

WAITRESS
What can I do for you?

JAY
I'll have a chesseburger, fries and Coke.

WAITRESS
For you hun?

ANGELA
A Danish and coffee. Okay, so... To answer your first question, I've been working at the Times and living in Decatur since June. I just recently got assigned to the legal section, where I'm covering the Valley... Which brings me to why I wanted to talk to you in the first place.

Angela pulls out a stenographer's pad from her oversized purse.

ANGELA
Tell me... what is your defense for Mr. Lachey?

JAY
Two things: first Mr. Lachey committed no crime.

JAY(cont'd)

He has maintained from day one that he did not do anything to Faith, that he loved Faith, that...

ANGELA

Hold on. Hold on... I'm trying to get all of this down.

Angela laughs.

JAY

Oh, sorry. I was getting carried away...

ANGELA

Okay. got it now... Go ahead.

JAY

Well, shoot. I forgot where I was now... And it was sounding so good, too. Can you read that back?

They both laugh hard.

JAY

Oh yeah, I remember now. Yeah, he loved Faith and he does not know what happened to her. That is the first thing. And the second is there's no proof of a murder ever taking place. There is no proof that the little girl was killed by anyone much less Mr. Lachey.

ANGELA

Wasn't there blood in your client's boat and truck?

JAY

It would be inappropriate for me to comment on the evidence specifically.

ANGELA

My boss, head the legal section, worked on an article about a case out of Dallas County, where a man was convicted of killing a woman even though her body was never recovered... Are you familiar with that case?

JAY

Dang! This is starting to sound too much like law school now... Seriously, I can't say anything that might affect potential jurors, so I best not say anything else other than the fact that Mr. Lachey maintains his innocence, just like he has from day one.

ANGELA

Okay. Okay. You can't fault a girl for asking.

Angela smiles as she closes her note pad. The food arrives. Jay quickly takes a bite and then looks at the sandwich.

JAY

Angela? Would you like.. maybe want to go out to a real dinner... sometime?

ANGELA

Wellllllll... I'm not supposed to date someone involved in a story I am covering... But I'm just filling in for my boss today. This article on Lachey's arraignment is the only one I'm doing. After it runs tomorrow... I could... go out to dinner or something.

JAY

Great! You free Saturday?

Angela just smiles.

INT. IMMANUEL BAPTIST CHURCH - DAY

Just beneath the pulpit, sitting on the communion table, carved with the appropriate words, "In remembrance of me.", sits a twenty-four by sixteen inch portrait of Faith.

The only pews remaining empty are three front pews on the right, and the first front pew on the left, all of which have purple velvet reserved markers on them. The district attorney (dressed in a black Calvin Klein suit), Sheriff Adams and Alvin Johnson (both also in suits) arrive. Each accompany their wives, and all sit on the sole reserved pew on the left.

The piano player begins to play softly the old hymn, "Precious Memories." REV.THOMPSON enters and sits in one of the two throne like chairs behind and to the right of the pulpit. April, her parents, and cousins of various degrees begin the emotionally difficult walk from the fellowship hall, outside and into the main entrance of the church.

Rev. Thompson stands, and the congregation follows suit, all turning to look at the family in mourning. Karen on one side, and Malcolm on the other, each physically support April as they all walk to the front row pew on the right. Sniffles and the snapping of purses sound through out the little church as women retrieve tissues.

Rev. Thompson, with his large black Bible in hand, stands behind the dark stained wooden pulpit. He pulls out a folded handkerchief from his back pocket and wipes both of his eyes.

REV. THOMPSON

I've been doing this along time,
 thirty-five years in service of my
 Lord. I've done a lot of funerals,
 But I don't believe any has ever
 bothered me like this one. Y'all
 pray for me as I look for the words
 that God would have me to say this
 afternoon. Little Faith Phillips
 left this life at the tender age of
 two and one half years to be with
 her Savior some six weeks ago. She
 is survived by her precious mother,
 April Phillips Lachey; two
 grandparents, Malcolm and Karen
 Phillips, and numerous cousins, and
 then her extended family here at
 Immanuel Baptist Church. Like most
 all of you, I knew Faith well. It
 was hard not to know Faith, if you
 were anywhere around her. I don't
 believe I've ever seen a child talk
 as early and as often as little
 Faith did, amen? I remember a
 Sunday morning, not too long ago, I
 had gotten a little long winded.
 When... I heard that sweet little
 voice of Faith's, 'Brudda Jack, I'm
 hungee!

Everyone laughs, including the Phillips.

REV. THOMPSON

(serious)

But I'm here to tell you, Faith is now in a place where she will never hunger, where she will never thirst, where there is no crying, where there is no pain or mourning. In Ecclesiastes three, the Bible tells us there is a time to cry and a time to mourn. Jesus taught us to weep with our friends in times of loss, as He did with Mary and Martha over the death of Lazarus. April, we're here for you. We mourn with you. I will say to you publicly what I have said to you privately: I'm here. Rain, sleet, hail or snow, I'm here. You can call on me at any time, and I will be there. And I dare say any member in our church feels the same way.

Several men say "amen" in response.

CUT TO:

INT. IMMANUEL BAPTIST CHURCH - MOMENTS LATER

The song "Beulah Land" finishes. The District Attorney, Rick Pugh, is the first to follow the preacher in speaking to April and her parents.

RICK

I want you to know how sorry I am... I can't bring Faith back, but I can bring you justice. And that's what I intend on doing.

INT. TANNING BED - DAY

Rick Pugh practices his opening lines while UV rays bounce off his already tan skin.

RICK

Ladies and gentlemen. Let me reintroduce myself. I am Rick Pugh, your district attorney...

INT. BRONWOOD DAY SPA - DAY

Rick gets a manicure and has his fingernails buffed.

INT. RICK'S BEDROOM - DAY

Rick looks through his fine selection of ties. He tests a few by holding them up to his neck and checking them in the mirror.

INT. COURTROOM - DAY

An easel holds the same portrait of Faith used at the memorial service next to the prosecution's table. April sits next to the D.A. Rick is ready.

Noticeably absent is the mustache Jerry Wayne had possessed since his teenage days. Jay and Mike sit next to him at the defense table. Three hard hits by the gavel sound.

BAILIFF

All rise. The Circuit Court of Stewart County, Alabama is now in session, the Honorable Claude Lacy presiding. God bless this court and its judge.

Stir Fry enters with law book in hand, of course.

BAILIFF

You may be seated.

The judge turns on his microphone.

JUDGE LACY

Good morning. First some matters of importance. For those of you in the gallery, if you have come to watch that is fine. You are welcomed to be here. But I will not tolerate people going in and out of the courtroom. As my momma used to tell me as a boy, "In or out one."

Some people chuckle.

JUDGE LACY

I don't want people jumping up and down.

JUDGE LACY(cont'd)

The jury, the lawyers, and everyone up here will wait for breaks and you are expected to do the same. I absolutely will not tolerate any crying babies in this courtroom. If you have a potential crier, take him or her out now.

The lawyers already know this, but I want to stress if you have a cell phone or a pager and it goes off, it is mine. And I am one hundred percent serious about this. I don't care if it a cell phone, a camera phone, an iPod, a palm pilot-a-jig, a blackberry, or a blueberry for that matter. If it makes a racket in my courtroom, you no longer own it. So, I advise you now to check and make sure all of your electronic toys are turned off.

Jay reaches in his pocket, pulls out his cell phone and switches it to vibrate. Judge Lacy turns to the jury.

JUDGE LACY

Ladies and gentlemen of the jury, the indictment was read to you yesterday along with your initial instructions. I remind you that you are not to discuss the case among yourselves or anyone else. That includes inside this courtroom, during lunch, or at the hotel during your period of sequestration. And you must certainly not communicate with others by some of these new fangled electronic means. Tweeting is for the birds not for my courtroom. You cannot begin deliberations until the trial is over and I instruct you to begin your deliberations.

Judge Lacy looks to the lawyers.

JUDGE LACY

Alright gentlemen, anyone want to invoke the rule?

MIKE ARNOLD

(standing)

Your Honor, we would ask the rule be invoked.

RICK

(stands as well)

Your Honor, and if Mike and Jay don't object to this... We would ask that Malcolm Phillips be excused from the rule. He found one piece of evidence. That would be his sole testimony and naturally as the grandfather of the victim, he would like to be inside the courtroom. Further, we ask that Investigator Alvin Johnson be excused as lead investigator. And, of course, we ask that April be excused as the mother and representative of the victim in this case.

MIKE ARNOLD

Your Honor, we are not opposed to those requests.

JUDGE LACY

Very good, then. Investigator Johnson, Mr. Phillips and Mrs. Lachey can remain in the courtroom. What about Mr. Phillips' wife? Is she going to testify?

RICK

(stands again)

No, Your Honor.

The sheriff, stands and shakes Rick's hand. He scans the gallery as he places one hand on April's shoulder momentarily. He exits.

JUDGE LACY

This is the stage of the trial called 'opening statement'. Some people call it 'opening argument', but it is not an argument. That comes at the end. This is just a period wherein the lawyers can give you an overview of what they expect the evidence to show. It is not evidence. Since the State has the burden of proof in this case, they get to go first. Mr. Pugh.

Rick calmly stands up and buttons the top button of his suit. He walks around the long table he shares with April.

Rick stops about three feet in front of the jury box.

RICK

If it please the court... Mr. Arnold, Mr. Davis... Ladies and gentlemen. We have had some introductions and we have gotten to know each other over the last couple of days, but I want to reintroduce myself. I am Rick Pugh. I am your district attorney. Over to my left are two fine lawyers, who I think a lot of, Mr. Mike Arnold and Mr. Jay Davis...

Rick walks closer to the defense table and points directly at Jerry Wayne.

RICK

And this man here, as we expect the evidence to show, is a cold blooded child molesting murderer! This is a case of the ultimate betrayal. A case of a young mother, April Phillips Lachey, who will never hold her little daughter again, who will never walk her to that first day at kindergarten, or see her off to her prom. All because she was betrayed by this man, if you want to call him a man, right over here. A man who took from her what was most sacred to her... her very own daughter, her flesh and blood, that was more important to her than life itself.

Both Jerry Wayne and April are looking down at their respective tables. April occasionally pats the tears from her eyes.

RICK

April Phillips Lachey is a hard working young lady, beautiful not just in body, but more importantly in her soul. And on the morning of October ninth of this year, she was looking forward to coming home after pulling a twelve hour shift at Bronwood Hospital, where she had been caring for the sick and the injured as a registered nurse.

RICK(cont'd)

She was looking forward to getting some sleep, to seeing her husband, and most certainly to seeing her precious daughter, Faith, sleeping tenderly in her bed.

April named her little daughter, Faith, because faith was what got April through the difficult times. That says something about this lady right over here. And Faith had been a blessing from the time she was born some two and half years ago. Yes, April was looking forward to seeing Faith, but on the morning of Monday, October ninth, April's Faith was gone. Little did she know, but the man she had married some six months earlier, had killed her precious Faith. April last saw Faith when she left for work a little before six p.m., on that Sunday night. She hugged her bye. She kissed her soft cheek. She felt the soft blond curls of Faith's hair in her hand. Not knowing it would be the last time.

Rick pauses a few seconds for effect.

RICK

When April left, she left Faith with this man right over here. He was the last person to see Faith alive. He was the first person to see her dead. This will not be a long case to try. We do not have many witnesses. But the evidence we have is strong and compelling. You will hear from Mr. Malcolm Phillips, the father of April and the grandfather of little Faith. He will tell you of finding some panties of Faith's just inside a culvert outside the trailer April and Jerry Wayne called home. You will hear from Dr. David Burks of the Alabama Department of Forensic Sciences. He examined those panties and other items of evidence, I will discuss in a minute. Dr. Burks will tell you that those panties contained two types of bodily fluids.

RICK(cont'd)

One was blood and based upon DNA evidence, that blood belonged to Faith Phillips. The other bodily fluid that was found on the panties of this little two and half year old girl...

Rick points to Faith's portrait.

RICK

...was the semen of this man right over there, who today remains on his plea of not guilty. You will also be hearing from our Sheriff, Investigator Alvin Johnson, and others. They will tell you of additional evidence. They will tell you of more of Faith's blood being found in the defendant's truck, and still more blood on his boat. You will see Faith's little night gown. Her cute little mermaid nightgown that matched her panties found by her granddad. You will hear that that nightgown was found partially washed up on a bank of the Tennessee River, just down stream from Martin's Landing. Yes, this is a circumstantial evidence case. But the judge will instruct you that circumstantial evidence is just as good as direct evidence. We expect you to conclude that this evidence indicates beyond a reasonable doubt that this man in a drunken state was somehow sexually abusing Faith. Sexually assaulting a little two and half year old masterpiece of God's creation for his own deviate, sodomistic desires. As a result of that, she began bleeding. And rather than getting caught by taking her for proper care, this man chose to kill little Faith and throw her weighted body into the cold, dark, and deep waters of the mighty Tennessee.

Rick walks back to his table and places his right hand on April's shoulder.

RICK

April's Faith was taken from her that night. But she does still have a faith. A faith in our justice system, and we ask you don't take that from her. At the conclusion of the evidence we will ask you to return a verdict of guilty of capital murder.

Rick sits down. The courtroom is silent. Judge Lacy and the jury look toward the defense table. Jay clears his throat and stands.

JAY

If it please the court.

His voice cracks. He cleared his throat again and walks around the defense table to stand a few feet from the jury box. Jay holds a clipboard of notes to review.

JAY

Mr. Pugh. Ladies and gentlemen of the jury... I am new at this. This is my first trial, as you learned Monday. But the great thing about our justice system is, contrary to what the great U.S. poet Robert Frost once said, a jury is not composed of twelve people called upon to decide which side has the best lawyer.

As we try this case over the next few days, it sorta reminds me of the steer shows that I used to enter as a boy. When it got time to name the winner of the show, it was not which boy or girl had done the best job of leading his or her calf around the ring. It was not about showmanship. Rather it was the beef. Which calf had the best beef. And ladies and gentlemen of the jury, there is no beef in the state's case ~~(MORE)~~ capital murder against Jerry Wayne Lachey.

Rick raises his eyebrows. Jay casually walks from side to side.

JAY

Mr. Pugh told you what he expected the evidence to show.

JAY(cont'd)

But he did not tell you about this man, who loved and cherished Faith. Although he was not her biological father, he was her daddy. She did not call him Jerry Wayne. She called him 'Daddy'. He did not tell you that Jerry Wayne loved his wife and cherished their relationship. He did not tell you that Jerry Wayne was an admired and respected worker at the local Piggly Wiggly. You will hear from people there who will tell you that Jerry Wayne Lachey has a fine reputation. Not the type person, who would do this crime. We talked about reasonable doubt during voir dire. And I again want to remind you it is the highest standard of proof in our court system. The state's case is based on what ifs and maybes. It is based on assumptions.

RICK

(standing up)

Objection! I am sorry, Your Honor, but I have to object. Mr. Davis is now arguing his case.

JUDGE LACY

Sustained. Counselor, I remind you this is opening statement, not opening argument.

JAY

Yes, Your Honor... Uh, sometimes, as we have seen in Colorado and other places, something terrible happens to a little girl and we never know who did it. We believe after you hear all the evidence, you will believe that can happen in Alabama, too. We believe you will find the state has failed to meet its burden, and your duty will be to return a verdict of not guilty.

Jay walks fairly quickly back to his seat and exhales. Mike slides a legal pad over to Jay. It reads: "Good job. Loved the calf show line!"

RICK
I call Sheriff Frank Adams as my
first witness.

CUT TO:

The sheriff is sworn in.

CUT TO:

The sheriff is on the stand.

FRANK
...in my opinion, Jerry Wayne did
not respond like someone who had
just lost a child would. He didn't
seem that upset.

CUT TO:

The Malcolm Phillips on the stand.

MALCOLM
...I walked around the trailer
outside. I saw the paper be
delivered. I walked to the mailbox
and ... in the culvert... was a
pair of Faith's little panties...

Malcolm can't hold back the tears.

CUT TO:

RICK
I call Lead Investigator, Alvin
Johnson as my next witness.

CUT TO:

Alvin Johnson on the stand. Alvin directs all his answers to
the jury directly.

ALVIN
...Yes, sir. There was no forced
entry into the residence of Ms.
April and Jerry Wayne Lachey.

CUT TO:

MIKE ARNOLD
Your Honor, I have no questions for
Investigator Johnson.

INT. WITNESS ROOM - DAY

Eddie Cameron takes one last long drag on his cigarette before snuffing it out in the ashtray.

INT. COURTROOM - DAY

RICK

Mr. Cameron, would you please explain your position to the court as a volunteer member of the Stewart County Rescue Squad.

CUT TO:

Dr. David Burks is on the stand.

RICK

Dr. Burkes, does DNA evidence lie?

CUT TO:

April is on the stand. She wears a black and lavender dress today.

RICK

Would you state your name, please?

APRIL

(quietly)

April Phillips Lachey.

RICK

April, I know this is difficult, but you will need to speak up so the jury can hear you, okay?

APRIL

Okay.

RICK

Are you married to the defendant, Jerry Wayne Lachey?

APRIL

We are, but I have recently filed for divorce.

RICK

When did you marry Mr. Lachey?

APRIL
In August of this year.

RICK
April, where did you grow up?

APRIL
Here in Bronwood.

RICK
And where do you work?

APRIL
I work at Bronwood Hospital. I am a
R.N.

RICK
I see. And were you working there
on October eighth of this year?

APRIL
(sniffes)
Yes...

RICK
I direct your attention to the
morning of October ninth. About
what time did you come on from
work?

APRIL
It would have been around six
thirty in the morning. Maybe a
little earlier.

RICK
Did you discover anything unusual
when you got home?

April begins to cry.

APRIL
My baby was gone. She wasn't in her
bed.

Rick walks up and hands her a box of tissue from the witness
stand.

RICK
Do you need a few moments?

MIKE ARNOLD

Your Honor, we do not mind if she wants to take a break.

JUDGE LACY

Mrs. Lachey, would you like to take a break?

APRIL

No, Your Honor... It won't help.

RICK

Who was there in your house, when you returned?

APRIL

My husband, Jerry Wayne?

RICK

Now let me stop you right there, Jerry Wayne was not the father of Faith, was he?

APRIL

No, he wasn't. I got pregnant with Faith, when I was a student at U.A.B.

RICK

So, Jerry Wayne was her step dad?

APRIL

Right.

RICK

When you returned, and noticed that Faith was missing, what if anything did Jerry Wayne say to you.

APRIL

He kept telling me I was wrong. That she had to be in her bed. After that, he didn't say that much.

Rick walks toward the jury and looks at them as he asks:

RICK

Did you notice anything unusual about the odor coming from Jerry Wayne's breath?

APRIL

I wouldn't say it was unusual,
because he drank quite often. But I
could smell beer on his breath.

RICK

You could smell beer on his breath?

An elder lady on the jury crosses her arms and looks at Jerry Wayne.

APRIL

Yes.

RICK

Did he appear intoxicated?

APRIL

No, just drowsy... out of it.

RICK

Let me go back for a second... How
would you describe the relationship
between Jerry Wayne and Faith?

April's lower lip quivered.

APRIL

I thought he really loved her, you
know? He loved playing with her. He
loved giving her baths.

RICK

So, he loved giving her baths?

APRIL

Yes. And I didn't think anything
about it at the time, but now...

April buries her face in some tissue crying.

RICK

We understand, April. Just take a
moment. Take a moment.

The jury has no choice but to witness the agony of the young woman sitting in front of them. April composes herself as Rick walks over and picks up the night gown, lying on a shelf just under the judge's bench.

RICK

April, I am going to show you what has previously been entered into evidence as State's Exhibit 5. Do you recognize this?

April nods as the tears begin to flow again.

APRIL

Yes. It is a nightgown I had bought Faith. She loved mermaids.

RICK

When was the last time you had seen this?

APRIL

When I laid it out for Jerry Wayne to put on her after her bath on that Sunday night.

RICK

I now show you what has previously been marked as State's Exhibit 1. Do you recognize this?

APRIL

Yes, it is her matching panties to the nightgown.

RICK

April, I apologize in advance, but I have to ask you this. Do you have any innocent explanation as to how Jerry Wayne's semen got on those panties? I mean...

MIKE ARNOLD

Objection, Your Honor, I object to the form of the question. It has not been conclusively established that the ~~semen~~ ^(MORE) was in fact Jerry Wayne's. That is for the jury to decide.

RICK

Well, Your Honor, seventy-six million to one sounds pretty conclusive to me, but I will rephrase the question.

RICK(cont'd)

April, let me put it this way, did you ever have an occasion to put Jerry Wayne's clothes in the same hamper with Faith's?

APRIL

No. Never. I never washed her clothes with ours. She had really sensitive skin and regular detergents made her break out. So, I always washed her things separately. She had her own hamper in the back in her bathroom.

RICK

I see. April, tell us was Faith afraid of the dark?

APRIL

Yes. Oh, yes. She had to have her little night light on every night.

RICK

Is there any way, in your judgment, that she would have just walked off?

APRIL

Absolutely no way.

RICK

April, what effect has losing Faith had on you?

MIKE ARNOLD

Objection, Your Honor. While we are sympathetic to Mrs. Lachey's loss, this question is not material or relevant.

Mike extends his arms, palms up.

RICK

Your Honor, She is a witness. Her emotional state goes to her credibility and reliability as a witness.

JUDGE LACY

Overruled.

RICK

You may answer. What effect has losing Faith had on you?

APRIL

She was everything to me. The sunshine of my morning, the joy of my evening. From the time she began growing inside of me, she has been and always will be a part of me, just like my arm or my leg. She is a part of me. Every time I would see her smile, I would melt. When she called me "Mommy"... What effect has it had on me? I constantly feel like death warmed over. Like I am in a bad dream that never ends. The only way I make it is because I have faith. I have faith that I will see Faith again one day in another time and another place.

RICK

Thank you.

Rick sits down. Mike stands up, but remains behind the defense table. He twists a pencil back and forth in his hands.

MIKE ARNOLD

Mrs. Lachey, I have just a few questions for you. If you need to take a break at any time, just let me know, okay?

April nods, still squeezing some tissue in her hand.

MIKE ARNOLD

Mrs. Lachey, it would be a fair statement that Faith never expressed either verbally or otherwise to you that she was afraid of Jerry Wayne. Isn't that right?

APRIL

Yes. She never did.

MIKE ARNOLD

Thank you. And in caring for Faith, you never saw any signs of sexual abuse or even physical abuse on her body, did you?

APRIL

No, I did not.

MIKE ARNOLD

Thank you. And you never personally observed Jerry Wayne act inappropriately around Faith in anyway, right?

APRIL

That is right.

MIKE ARNOLD

And obviously in the time you were dating Jerry Wayne, you never observed anything about his personality to make you think he would commit a crime like what he is accused of, otherwise you would have never married him. Isn't that correct?

APRIL

That is true.

MIKE ARNOLD

I believe that is all I have.

Mike sits back down. The judge looks to Rick.

RICK

We have no further questions, Your Honor.

April resumes her seat at the prosecution table, while Rick confers with Alvin.

RICK

Your Honor, the State rests, with the exception of possible rebuttal.

The judge turns to the jury.

JUDGE LACY

Very well, then. Ladies and Gentlemen. The State has rested. We have some matters we have to take up outside your presence. It is getting close to lunch, so I will excuse you 'til 1:30 p.m. During your lunch, I remind you to not discuss the case with anyone.

The lawyers and parties stand as the jurors rise and exit the courtroom.

JUDGE LACY
Any motions?

Mike looks to Jay. Jay stands.

JAY
Your Honor, we move for judgment of acquittal. The State has failed to prove a prima facie case. They have not even proven that a death has occurred, much less that Mr. Lachey was responsible for the alleged death. Accordingly, we move for acquittal.

JUDGE LACY
What say ye, the State?

RICK
Nothing, Your Honor. We submit it.

The judge slams his gavel.

JUDGE LACY
Motion denied! Anything else?

JAY
No, Your Honor.

Jay sits down.

JUDGE LACY
Is the defense going to call any witnesses?

MIKE ARNOLD
Your Honor, we anticipate on calling three witnesses.

JUDGE LACY
Very good. We are in recess until 1:30.

(MORE)

INT. WITNESS ROOM - DAY

MIKE ARNOLD
Jerry Wayne... We have talked about this before. But it is now crunch time. We have to decide whether to put you on the stand.

MIKE ARNOLD(cont'd)

They have already put your video statement into evidence, so they have seen that, except the part about you asking for a lawyer. Even though the judge will tell the jury not to hold it against you if you choose not to testify, it has been my experience the jurors do. They want to hear you say you didn't do it.

JERRY WAYNE

I don't know. I had rather not, I guess. I mean, I'm... nervous, you know... I don't know what to do.

JAY

Well, Jerry Wayne, it is up to you. But if it were me, I think I would testify. Here's about all the D.A. can get you on: being drunk and not remembering what happened. That's what he will harp on. So, I say take the stand, tell them how you felt about Faith and that you didn't do it.

Jerry Wayne briefly tries to brush with his fingers his absent mustache.

JERRY WAYNE

That does make the most sense. Okay, I'll do it.

JAY

Good!

MIKE ARNOLD

Yeah, I think it is the right move, too. Hey, Jay, you want to go to Lucy's?

JAY

Nah, I think I will pass. I'm gonna look over my notes.

MIKE ARNOLD

Suit yourself. I gotta have some fried chicken. I'll see y'all at one-thirty.

Mike exits. A deputy waits for Jerry Wayne outside the door.

JERRY WAYNE

Jay, I just want you to know I appreciate everything you are doing. I know you just starting out and all, but to me... you've done a good job... you turned down Lucy's to look over your questions. I just want you to know... I appreciate it.

JAY

Hey, I am glad to do it, Jerry Wayne, I'm glad to do it.

INT. COURTROOM - DAY

Jerry Wayne stands in front of the judge with his right hand up. He is shaking as he is sworn in.

CUT TO:

JAY

How did you meet April?

JERRY WAYNE

I was working at Piggly Wiggly and she would come in. I just thought she was the most beautiful woman I had ever seen... And I still do.

April remains emotionless.

JAY

Did you and April begin dating?

JERRY WAYNE

Yes.

JAY

And as a result of your relationship with April, did you come to know Faith.

(MORE)

JERRY WAYNE

Yes, I did... And, I want y'all to know, I would never hurt that girl. I might not have fathered her or whatever, but she was my baby, too.

(HE BEGINS TO CRY)

You don't know what it is like. I've lost my baby, too.

JERRY WAYNE(cont'd)

I've lost my wife, and now I'm getting charged...

RICK

Your Honor, I object. The witness is narrating and is being non-responsive to the question.

JUDGE LACY

Sustained. Listen to the question and just answer the question.

JAY

Jerry Wayne, did you touch Faith inappropriately?

Jerry Wayne leans down to the microphone.

JERRY WAYNE

No sir. I did not.

JAY

And did you kill her?

JERRY WAYNE

No, I would never hurt her. I am an innocent man, who has lost a daughter.

JAY

No further questions, your Honor.

Rick purposely remains in his seat for a few seconds. Finally, he stands and moves round to the front of his table. He leans back and folds his arms.

RICK

Mr. Lachey, so you are an innocent man, right?

JERRY WAYNE

That's right, I am.

RICK

You heard, April testify that she never mixed your clothes and Faith's clothes, right?

JERRY WAYNE

Yes.

RICK

And you would agree with that, correct?

JERRY WAYNE

Yes.

RICK

Well, tell the jury then how your semen got on little two year old Faith's panties?

JERRY WAYNE

I don't know.

Sweat starts to pop out on his forehead.

RICK

You don't know. You don't know a lot of things, do you Mr. Lachey? Isn't it true that you were so drunk, you do not know what you did or did not do that night? Isn't that what you said in your video statement?

JERRY WAYNE

I know I didn't hurt Faith. I know that. I'm a hard sleeper.

RICK

So, you know you didn't hurt Faith. Well tell us how your semen got on this little girl's panties that you know you didn't hurt.

Rick starts slowly walking toward Jerry Wayne.

JERRY WAYNE

The law had to put it there. I know I didn't have anything to do with it.

Mike grimaces.

RICK

So, the law put it there. The law put it there. That's your story. Ahh... well that makes perfect sense.

Rick struts across the courtroom. Mike stands.

MIKE ARNOLD

I object. It is argumentative and the prosecutor is testifying.

JUDGE LACY

Sustained. Ask your next question Mr. Pugh.

RICK

So, you are saying Investigator Alvin Johnson just decided to plant your semen on these panties?

JERRY WAYNE

I-I-I don't know what I am saying. He could have... Somebody did.

RICK

Well, just where did he get your semen? He never got a sample of semen from you did he?

JERRY WAYNE

No, I don't know.

RICK

And, I guess you just have no idea how Alvin planted Faith's blood on those panties, in your truck, and on your boat do you?

JERRY WAYNE

(softly)

No.

RICK

So, that is what you are telling this jury, that Alvin Johnson planted semen evidence he did not have, blood evidence he did not have, and that is why they should believe you are an innocent man?

Mike starts to move.

JERRY WAYNE

Yes.

RICK

I don't have a..n..y other questions of this... of this defendant.

Jerry Wayne takes his seat back between Mike and Jay.

JERRY WAYNE
I didn't do too good, did I?

Jay just calls his next witness.

JAY
Your Honor, I call Mr. TERRY BELL
to the witness stand.

CUT TO:

Terry is on the witness stand.

JAY
Mr. Bell, how do you know my
client, Mr. Jerry Wayne Lachey?

TERRY BELL
I'm a co-worker with him a the
Piggy Wiggly.

CUT TO:

RICK
Mr. Bell, have you ever visited the
home of Mr. Lachey?

TERRY BELL
No.

RICK
No further questions, your Honor.

CUT TO:

Co-worker Dwight Lasten is sworn in.

JAY
Mr. Lasten, would you say my client
is a peaceful and truthful person?

DWIGHT LASTEN
I've never had any problems with
Jerry Wayne at work.

CUT TO:

RICK
Mr. Lasten, have you ever visited
the home of Mr. Lachey?

DWIGHT LASTEN

No...sir.

RICK

You only know the Jerry Wayne out in public. You do not know the Jerry Wayne alone at his home with his stepdaughter, do you?

DWIGHT LASTEN

No...that is correct.

RICK

No further questions.

JAY

Your Honor, the defense rests its case.

JUDGE LACY

What say ye, the State?

RICK

The State needs no rebuttal, Your Honor.

Judge Lacy turns on his microphone and turns to the jury.

JUDGE LACY

Ladies and gentlemen. That concludes the evidence in the case. We have some matters we have to take up outside your presence. It is getting late. It is almost four o'clock. I know you did not want to be sequestered over the weekend, but I am afraid you will have to. We will start closing arguments at 9:00 a.m. Monday morning. You are not to discuss the case with each other at anytime.

All the lawyers and parties stand as the jurors leave the courtroom.

CUT TO:

A vacant courtroom, except for Jay and Mike gathering papers.

JAY

You know, Mike. I want to believe Jerry Wayne. I really do.

MIKE ARNOLD

Of course you do. You don't want to lose your first case. You don't want to think you have sat all week next to a guy who could do such a thing. But it happens. You have to realize you are going to get appointed to people who are guilty. And, if justice is served, they will be found guilty. That's not your fault.

JAY

I guess you are right. I know you are right, actually.

MIKE ARNOLD

Son, you know what you need? Just to forget about this case. Your part is over... And you did a good job, by the way.

JAY

Thanks.

MIKE ARNOLD

Take that new girlfriend of yours out to dinner. Have a good time. Hey, I've got a Conway's Greatest Love Songs on CD in the car...you wanna to borrow it?

JAY

(smiling)

No thanks, Mike. To each his own, but I don't think Conway would be Angela's mind of music.

MIKE ARNOLD

Ol'Conway had his ways. You try him sometime.

FADE OUT.

INT. JAY'S APARTMENT - MORNING

Jay eats cereal for breakfast in his sweat suit.

EXT. BRONWOOD HIGH PARKING LOT. - MORNING

Jay jogs through the deserted parking lot.

EXT. TOWNSQUARE BRONWOOD - MOMENTS LATER

Jay jogs past the Courthouse.

EXT. COURTHOUSE - LATE AFTERNOON

The sun goes down as shadows crawl up the old buildings.

EXT. OPEN-AIR SHOPPING MALL.

Jay and Angela hold hands as they pass a glossy tech store. Jay stops to look at all the new phones. Angela pulls him away.

INT. JAIL CELL - MORNING.

JAILER
Feeding time.

A tray of slop is placed in Jerry's cell. He just looks at it and lays back down on his small cot.

INT. FIRST MISSIONARY BAPTIST CHURCH - MORNING

Jay sits in a pew next to both his parents.

REVEREND
...with sin our master, we will be
but a slave for all our lives...
The wage paid by sin is death, my
brothers, but the free gift of God
through Jesus Christ is eternal
life! Can I get an Amen?

INT. JAY'S PARENTS DINNING ROOM - AFTERNOON

Jay eats a grand meal with his parents.

CATHERINE
...I am so proud of you son, when
are we going to meet this new girl
friend of yours? You should bring
her to church next Sunday with you.

INT. JAY'S PARENTS DEN - AFTERNOON

Jay's Dad sits in his recliner watching the game on TV. Jay instead pours over the discovery that Mike and he had received from the district attorney weeks earlier. Jay pulls out his cell phone, looks through the papers for a number and dials it.

ALVIN (O.S.)

Hello.

JAY

Investigator Johnson, this is Jay Davis. I am sorry to bother you at home, especially on Sunday.

ALVIN

No, problem. And it's Alvin.

JAY

Okay, Alvin, I appreciate it. Hey, I was looking over some things, and this may sound like a crazy question, especially with the evidence y'all had, but did you ever check out that Barry Brighton guy, the father of Faith?

ALVIN

I think you will see in the file copies you have that I pulled up three Barry Brightons in the Birmingham area. They all three had clean records. Plus, you have to remember he had had zero contact with April.

JAY

Yeah. I saw that. But, did you ever go talk to them?

ALVIN

No, there wasn't much point. Son, and you will learn this as you go along, but in investigation you go where the evidence takes you. And, as you know, the evidence in this case took us straight to Jerry Wayne. So, there was really no need to proceed further. You see what I'm saying?

JAY

Yeah. I see you point. But.. I might run down there tonight just to see if I can check them out.

ALVIN

Suit yourself. Do what you feel like you need to do.

JAY

Thanks, Alvin. I appreciate you talking with me.

Jay hangs up the phone and dials Angela.

ANGELA

Hello.

JAY

Hey, Angela. You want to go out for dinner... tonight?

ANGELA

Dinner... Tonight? ...Sure, where to?

JAY

Somewhere nice... Maybe. I'll tell you on the way. See you in like an hour, Okay?

INT. JAY'S CAR ON INTERSTATE I-65 - DUSK

ANGELA

Okay, so why are we driving to Birmingham?

JAY

fine, over-priced dining? Where you want to go?

ANGELA

No really?

JAY

Really.... I'm starvin'. Get some good food that's not Steak or Catfish... Check something out about my case... Grab that folder in back seat.

ANGELA
(chuckling)
Okay. So what am I looking for?

JAY
List of addresses for Barry
Brightons. Alvin circled one that
seems the right age. Were going to
go check him out.

Angela flips through the documents.

ANGELA
Have you thought what we are going
to say if the guy is at home? I
mean you aren't just going to say,
Hey, just coming by to see if you
had anything to do with the
possible murder of a child you
fathered three years ago.

JAY
I have been thinking about that. I
think we need to kinda do an
undercover kind of thing. If we can
just get in the house, talk to him
a little bit, and look around...

ANGELA
undercover?

JAY
I got it! You walk up first. When
he comes to the door, you tell him
you are doing a survey for Iron
Man's Gym that's thinking about
opening up a place nearby... that
pink sweater of yours is only going
to help.

ANGELA
Alright... I guess. What about you?

JAY
Well, if he lets you in... just say
I'm going to get my manager. He is
in the car. That would be me, of
course.

ANGELA
So... your my boss?

JAY
Well, I'm the guy, and you're the
girl. I'm just saying...

Angela playfully slapped Jay on the shoulder.

JAY
Aww, Be easy. Be easy.

EXT. PANDA EXPRESS RESTAURANT PARKING LOT - NIGHT

Jay walks back to his car with carry out bags.

INT. JAY'S CAR ON A RESIDENTIAL STREET - NIGHT

Jay slows down to read street numbers. Brighton's address is a narrow two story structure. A light is on at the front porch. Jay parks on the street.

JAY
Well... you ready?

ANGELA
Maybe... a little nervous.

JAY
Come on. It'll be fun. You're a
reporter... It's good experience
for you to do a little undercover
work... how about a kiss for good
luck.

They both lean in for a kiss.

JAY
Hmmm. Soy sauce.

ANGELA
Why do I even go out with you?

She pushes him away, smiling, as she exits the car.

EXT. BRIGHTON'S FRONT PORCH - NIGHT.

With a notebook in one hand, April cautiously knocks on the door. The door opens.

BARRY BRIGHTON
Yes...

Barry is tall, good looking, and wearing green hospital scrubs. He checks out Angela.

ANGELA

Uh, yes, I'm with Iron Man Fitness Clubs... we are going around taking a brief survey to gauge people's interest for a possible club we may be opening in the area. I was wondering if I might have a few minutes of your time to ask you a few questions?

BARRY BRIGHTON

Well... I can use the gym at work currently. But yeah. Sure, a few minutes.

ANGELA

Great! Five minutes... I promise.

Angela turns and flags Jay to come up.

ANGELA

I have a trainee with me. If you don't mind, he comes in too.

BARRY BRIGHTON

(less enthused)

Sure.

Jay approaches to the porch.

ANGELA

Oh, by the way, my name is Andrea and this is my trainee... Jason.

Angela cuts him a quick smile.

BARRY BRIGHTON

Come on in, have a seat. I'm Barry.

INT. BRIGHTON'S LIVING ROOM - NIGHT.

The small room is softly lit by a lamp. Barry turns off his LCD TV. In the far corner is a plastic doll house, teddy bear, and a small rocker.

JAY

Thanks.

Angela sits gently on the edge of the sofa opening her notebook.

ANGELA

We appreciate you letting us come in. So.. you have a gym at work... May I ask where? Is it convenient for you?

BARRY BRIGHTON

Yes... I am an R.N. at North Jefferson Regional Hospital.

ANGELA

Okay... so, you obviously attended college.

BARRY BRIGHTON

U.A.B.

ANGELA

great school. Are you married or single?

BARRY BRIGHTON

Very single.

ANGELA

(smiling)

Okay... Do you work out now, or...

BARRY BRIGHTON

not recently. I had a motorcycle accident several months ago, that set me back. I need to get back to a gym. The hospital has an area for employees, but it's about thirty minutes from here... wish a place was closer, you know?

ANGELA

Well, that is one of the things we strive for at Iron Man, convenient times and locations.

Jay looks at the dollhouse.

ANGELA

Well, that brings me to my next question... So you have children?

BARRY BRIGHTON

Yes. I have little girl... Dana.

ANGELA
And how old is she?

BARRY BRIGHTON
Three and a half.

ANGELA
So... a day-care at our facility
would be helpful to you? Three
years old... that is such a fun
age.

BARRY BRIGHTON
Yes. She's a sweetheart... she just
went to sleep.

DANA
(softly singing)
No, I'm not.

A little brunette girl peaks out from the kitchen doorway.

Jay exhales, relaxing.

BARRY BRIGHTON
Dana, girl. You need to get back
upstairs to your room.

The little girl walks out of the kitchen, into the living
room and up to Barry. He gives her a quick hug. She stares at
Angela.

ANGELA
You sure are a pretty little girl.

DANA
(softly)
You've got pretty hair.

ANGELA
Come here, sweetie.

Angela opens her arms. Angela hugs her warmly. Jay can now
see up-close that she has blonde hair roots.

BARRY BRIGHTON
She loves everybody... Dana, time
for bed now...Y'all excuse me,
while I put her back to bed.

ANGELA
Sure.

Barry carries her upstairs.

JAY
(whispering)
That is her!

ANGELA
Are you sure? What do we do now?

Jay looks around the room, a stack of news papers in the corner reveals a cover shot of Jerry Wayne and Jay's picture on the front of it.

BARRY BRIGHTON
(casually)
sorry about that, y'all... just had
to get her back in bed.

Barry walks back downstairs...with a shiny automatic pistol pointing at Jay's face.

BARRY BRIGHTON
(demanding)
Down! On the floor, both of you,
right now! Darlin' if you so much
as think about screaming, I will
put a bullet in your trainee's
head, so fast...

Angela jumps next to Jay, both fall to their knees. Barry begins wrapping their hands with duct tape.

BARRY BRIGHTON
I knew I had seen you, boy... If
I'd just quit looking at this slut!

Their feet get quickly wrapped as well. Barry plops down in his recliner, looking at the two bodies before him, pistol in hand.

BARRY BRIGHTON
You ruined it for everybody...
Hotshot. Dana was going to be
happy. I was going to be happy.
Momma was going to be happy. Even
April would be happy in time.
Nobody got hurt! The plan was
perfect... now I got to get rid of
you two somehow.

Jay lifts his head off the floor.

JAY

Barry... let's talk... something can be worked out. Nobody has gotten hurt...

BARRY BRIGHTON

Are you kidding me, man? I kidnapped a girl and framed a guy for murder... You think they are going to let me walk?

JAY

We'll help you... We won't even mention this. We will say you wanted to set things straight and fully cooperated.

ANGELA

We promise to help you...

Barry picks each of them up and sits them on the couch. Still holding the pistol in one hand, he places both of his hands on his head.

BARRY BRIGHTON

I should've never done this. I should've done it! After the accident, I had to get Dana.

ANGELA

Why?

BARRY BRIGHTON

My leg's not the thing damaged by the motorcycle wreck. I had a groin injury... to put it mildly... No more kids for me.

He paces around the room.

BARRY BRIGHTON

When April got pregnant... I didn't want kids. I didn't care. But after the accident... no brothers or sisters. It's just me and Momma... I had to get the one Brighton left.

ANGELA

Well... why didn't you go through the courts?

BARRY BRIGHTON
my rights were terminated....no way
I could get visitation, much less
custody. Your lawyer here can tell
you that.

Barry sits back down in the recliner.

BARRY BRIGHTON
I remember the first time I saw
her... she was just a little past
two... so cute. I should have never
walked out on April. So I found
them... I watched them. I would
drive by their trailer. I knew
where they would go and when they
would go. I knew about the key
under the flowerpot on the front
porch. I knew her new boy friend,
Jerry Redneck, loved fish, beer and
football.

ANGELA
Why did you fake her death?

BARRY BRIGHTON
Faith is dead... if everyone thinks
she is. No missing person posters,
no face on milk cartons. Plus, I
thought for April... it'd be harder
thinking someone might be doing
terrible things to her. In time,
she'd have coped with it. Gotten
over it... Have more kids.

Jay's cell phone vibrates in his pocket.

JAY
So... how'd you do it, the
evidence...

BARRY BRIGHTON
Yeah... his own lawyer thought he
was guilty, didn't ya?

INT. ALVIN'S LIVING ROOM - NIGHT.

Alvin listen's to Jay's voice mail message. He hangs up.
He types painfully slow a text message and sends it. "Hey
Jay, find anything? Alvin."

INT. BRIGHTON'S LIVING ROOM - NIGHT.

BARRY BRIGHTON

...the Sunday night, I took her. I drove up to Bronwood around five o'clock... make sure they were there.

FLASHBACK:

BARRY BRIGHTON (V.O.)

I saw April leave for work... right on time, just before six. I knew it would be two hours before Dana went to bed. So, I drove over to Decatur, grabbed a bite to eat and just wandered around the mall. I headed back around nine... I drove by and the lights were still on... I could see the TV flicker through the window... I just patiently waited. Ten-thirty I drove by and the lights were out. I parked my April's car clone in their driveway and just sat there for probably thirty minutes making sure he was good and asleep... time to move.

I had ether with me. I'm no anesthetist, but I know some of their nurses. Ether... seemed the best for me. I take me a hanky with some ether, a bag for 'evidence' and I ease up on the porch, the key's under the pot, I just walk in. Wearing surgical gloves, I'm not worried about leaving prints. I could hear a fan or something back in Jerry Redneck's room... he wasn't going to hear me.

INT. BRIGHTON'S LIVING ROOM - NIGHT.

BARRY BRIGHTON

I bet you were wondering about the semen, right? I loved this! Call me smart or lucky, I'll take either.

FLASHBACK:

BARRY BRIGHTON (V.O.)

I knew, see, April couldn't take the pill...gave her terrible migraines. That's why she got pregnant the first place... And, knowing they live in Redneckville, I just thought well maybe Ol'Jerry can't just flush his condoms down the septic tank. So, I go back to their bathroom. Between the beer and the fan, he's completely oblivious to me being there...I hit pay dirt! A used condom! ...in the wastebasket by the toilet... with as many bedpans as I have changed lately, that's nothing... little sperm sample, if you will, in a sandwich bag... then I'm off to get Dana. Of course, I know Dana's room was on the opposite end of the trailer. So, as quiet as a mouse, I find Dana sleeping... cute as a button. First, I need some clothes for more 'evidence'. See, I knew April. I knew April better than Jerry Redneck knows her... and she is organized. She'd laid out a night gown and matching panties. Jerry just let her sleep in what she had on. So, I get 'em put them in a bag I brought in with me. I hated to use the ether on her, but I couldn't take a chance of crying, plus I needed to draw some blood. So, I just did it. She struggled for seconds and went right back to sleep. I put her in my car and kid seat... strapped her in, simple as that. Draw a couple vials of blood. Sprinkle some on the panties and the nightgown. Get out the condom and rub it on the panties, go over to his truck, drip a little blood to look like he wouldn't have seen it. I (MORE) dropped the panties right by the truck door... How they got where they found them, I don't know. Maybe the dog. ...Anyways, out back to his boat, rubbed a few drops of blood on the floor... I tried to make it look like he tried to wipe it up... Done!

BARRY BRIGHTON(cont'd)

Beeline then for Martin's Landing, where Jerry fishes... walked through some brush and put Dana's nightgown in the edge of the water. I kinda hung it on a root, so somebody would eventually find it. And presto! Murderer suspect number uno!

INT. BRIGHTON'S LIVING ROOM - NIGHT

BARRY BRIGHTON

My little plan worked like a gypsy's charm 'til you two showed up.

Barry stands up and tares off some more duct tape strips.

BARRY BRIGHTON

Now, I've got to do something to get rid of y'all.

ANGELA

Wait...

He tapes her mouth shut.

JAY

Look, man, we can still...

Tape applied to Jay's mouth as well. Barry disappears into the kitchen, only to be back within seconds with a duffel bag. He pulls out a needle and syringe. He fills it, stopping occasionally to thump it.

BARRY BRIGHTON

This should make it a little easier... You'll never know what hit you... literally.

Barry places April on the floor. Her screams are muffed well with the tape. She kicks without success as she is placed on her stomach. With his knee on her back, Barry jams the needle into her rear. Jay is helpless.

BARRY BRIGHTON

Now... That wasn't so bad, was it?

Jay slides off the couch on his knees. He plops on his stomach next to Angela.

BARRY BRIGHTON

Well, ain't that prince charming?

He fills the needle again, while putting a knee in Jay's back. Needle goes in Jay's hip.

BARRY BRIGHTON

Smart boy... not to mess with a Brighton!

Barry stands over them. Jay and Angela look at each other. Angela's eyes tear as her breathing becomes rapid. Jay makes one last attempt for the phone in his pocket. Can't reach it.

FADE TO BLACK.

INT. ALVIN'S CAR - NIGHT

Alvin slowly rolls down the street reading the street numbers. He sees the White Honda Accord, Jay's car. Next to it, a green Taurus in the small driveway. A couple other cars are parked on the street. He grabs his cell phone and dials.

OPERATOR (O.S.)

Nine one one, how may I help you?

INT. BRIGHTON'S LIVING ROOM - NIGHT

Jay opens one eye. He can barely see that Angela is still beside him.

BARRY BRIGHTON

Momma... I'm gonna load them out back.

Barry rolls out some large garbage bags.

EXT. BRIGHTON'S HOUSE - NIGHT

Alvin quietly steps on the porch as he draws his handgun from the holster underneath his jacket. He stands flush against the strip of wall between the large window and the front door. He slowly moves his head across in front of the window until just his left eye could see inside. Jay and April are still on the floor. Barry approaches them with an open garbage bag. With all his might, Alvin plants his boot hard to the right of the doorknob.

INT. BRIGHTON'S LIVING ROOM - NIGHT

The door burst open, banging against the wall.

ALVIN
POLICE!

The squatted down and surprised Barry almost loses his balance. He reaches for his handgun behind him. Alvin fires. The bullet hits Barry in the left shoulder, knocking him back to the hardwood floor. Alvin keeps his handgun drawn and firmly pointed at Barry.

Jay takes a deep breath and blows as the seal of the duct tape around his mouth gives way on one side.

JAY
Faith is... upstairs... with his
mom!

Four Fairfield Police Officers flood into the small living room. Alvin hears the cry of a little girl as he climbs the stairs.

BARRY BRIGHTON
Don't let her see me like this!
Please don't let her see me like
this!

Barry lays on the floor, clutching his wound, crying. Three of the officers quickly secure him, while the other begins to un-tape Jay and Angela. Alvin tops the stairs and looks inside the bedroom.

INT. BRIGHTON'S BEDROOM - NIGHT

BARRY'S MOM
I'm not armed! I'm not armed!

Barry's mom is on a double bed with Faith.

ALVIN
(demanding)
On the floor, right now!

The woman complies. Faith cries louder as she starts to move off the bed.

ALVIN
Oh, no. Not you, Honey. You stay
where you are. Everything is going
to be all right. Okay? I'm a police
officer. I'm here to help you.

INT. BRIGHTON'S LIVING ROOM - NIGHT

Angela has come to and is un-taped. She rubs her wrists as Jay raises her to a sitting position.

JAY

Angela... I love you. I should have told you before... But I love you.

She hugs him. Officers move Barry into the kitchen as paramedics arrive. Alvin walks down the stairs with Faith in his arms. Her pouting lips quickly turned to a shy smile when she sees Angela.

ALVIN

Jay, I would say you have recovered a key piece of evidence. A cute one, too.

JAY

Alvin, I don't know what to say other than, thank you.

ALVIN

Thank me? You outta want to shoot me. If I had done my job, you wouldn't have been in this fix.

JAY

Aw, anybody would have done what you did with the evidence. I'm just glad you're here now.

Jay tries to stand, but is still very dizzy.

ALVIN

First, things first... Both of you going to the emergency room for examination. Check out what drug he gave you... So just sit still for a few more moments, There is no rush.

EXT. BRIGHTON'S HOUSE - NIGHT

The once quite street is now full of police cars and flashing lights. Another ambulance arrives and the paramedics are quickly directed inside with a gurney.

FADE OUT.

INT. COURTROOM - MORNING

The courtroom is packed, even video cameras have been allowed in for the closing arguments. Most of April's family and friends are present as well as many of the members of Immanuel Baptist. April's parents sit on the front left pew. Even Jay's parents have returned. Jay's Mother looks around intently. No Jay in sight.

INT. ALVIN'S CAR - MORNING

Alvin, with his lights flashing, speeds along I-65 at the fast clip of eighty-five miles per hour with, Jay in the front seat, Angela and Faith in the back. Faith is eating a pop-tart. Jay and Angela both sip on some bottled water.

ALVIN

I suppose I could call Ol'Stir Fry or the Sheriff and tell him we're on our way with Faith... Or... we just could make 'em wait and see her in person like everyone else.

JAY

I like the way you think, Alvin. I cannot wait to get this girl to her momma and Jerry Wayne.

ANGELA

Faith, darling...

FAITH

That my old name... How you know that?

ANGELA

We're friends of your momma, honey... How about we take you to her right now?

FAITH

momma is with Jesus...

ANGELA

No, honey. She's not. We're taking you home to her.

Angela hugs Faith as best she can. Barry's old car seat gets only in the way slightly.

FAITH

We going to see Mommy?

Angela brushes Faith's hair with her hand.

ANGELA

Yes, we really are! She is going to
be so glad to see you!

Alvin looks at the two of them in the rearview mirror and
smiles.

INT. COURTROOM - MORNING

JUDGE LACY

Now... as you sit here as a jury of
the accused's peers in this the
great State of Alabama. Before you
begin your deliberations, each side
will have an opportunity to address
you in a time most commonly known
as closing argument. What the
lawyers tell you is not evidence.
But they are allowed to offer
insight on the evidence, which in
your own judgment you may conclude
to be helpful or not helpful.
Having said that, the State gets to
go first and last, because it is
their burden. Mr. Arnold, for the
defense will get to go in
between... Mr. Pugh.

Rick, in his solid pink tie, walks around the prosecution
table.

RICK

If it please the court, Mr. Arnold,
Mr... Ladies and gentlemen of the
jury... it is with great regret
that I tell you that a murderer is
sitting amongst us today. And he is
sitting right over there. As I
told you when this trial started,
we would prove our case beyond a
reasonable doubt and that is
exactly what we have done.

Jerry Wayne looks down as the D.A. points at him.

RICK

This man, if you want to call him a man, preyed on this woman right over here. Luring her, swooning her, so he could get close to what he really wanted. The forbidden fruit in our Garden of Eden, here in Stewart County. Yes! He preyed on her like the serpent until he obtained his desires. And then he used this little girl right over here.

Rick points to Faith's portrait.

RICK

....as his own little hidden sex toy. The perfect crime. She was pretty enough to abuse, but too little, too innocent to tell.

EXT. COURTHOUSE - MORNING

Alvin, with his blue lights still turning, pulls into the full parking lot of the Stewart County Courthouse. He simply stops his patrol car in the middle of the lot.

ANGELA

(almost singing)
We're here.

FAITH

Is Mommy here?

Angela begins to un-buckle Faith.

ANGELA

She sure is, Sweetie.

Alvin opens the passenger door for Angela to get out. Alvin motions for Jay to take Faith.

ALVIN

You deserve it, counselor. The pleasure is all yours!

Faith wraps her right arm tight around Jay's neck.

ANGELA

Are you coming?

ALVIN

Oh, I wouldn't miss this for the world, honey. I'll be right behind y'all.

INT. COURTHOUSE - MORNING

They climb their way up the flight of stairs to the courtroom.

RICK (O.S.)

seventy-six million to one.

ALVIN

Y'all step back, step back. Coming through.

They all walk through the metal detector, never stopping as the alert sounds. Alvin grabs the handle to the left of the two main doors of the courtroom and opens it.

INT. COURTROOM - MORNING

RICK

...this man is either the unluckiest man on the planet...

April recognizes her immediately, her brow wrinkles.

Silence.

APRIL

(whispering)
Oh, God! Oh, God!

(louder till she is yelling)

Oh, God, Faith! It's Faith! Oh, God, Oh, God! Faith! Faith!

April uses her hands to speed herself around the prosecutor's table. Jay carries the little girl quickly to her mother. The judge slams his gavel.

FAITH

Mom-mmeeee!

Faith is in her mothers arms. Time stands still just for them.

APRIL

Oh, God, thank you....Faith! Oh,
God! Faith! Oh, precious!

April hugs her tightly again.

Jurors cry. Mike cries. Rick walks to the prosecutor table, leans on it and shakes his head. Stir Fry gives up on restoring order, as cameras film the moment.

Jerry Wayne makes his way through the shoulders of people now surrounding April and Faith.

FAITH

Dad-neeee

April looks at him and gives Faith over to him.

JERRY WAYNE

Oh, baby...

He closes his eyes, full of tears. April strokes his back and lays her head on his shoulder. Jay reaches the bench.

JAY

(loudly)

Your Honor, We move that the case
be dismissed!

JUDGE LACY

So ordered!

The judge slams his gavel to cheers of the crowd. Faith is loving the attention of everyone, she is passed from Jerry Wayne to Malcolm to Karen and back to April. Each hug her tightly. More family and friends approach.

FAITH

Hey, Brudda Jack!

FADE OUT.

EXT. TRAILER, AFTERNOON

Jerry Wayne drives a sign into the ground in his front yard with a hammer. Faith runs from April at the porch to him.

FAITH

Spin me.

JERRY WAYNE
Your getting to big for me to spin
you.

Jerry lays the hammer on the ground and steps away from the
sign. Faith grabs his hands and gives him her leg too.

FAITH
Spin me upside down.

JERRY WAYNE
Only one time.

He grabs Faith. She laughs as he spins her around and around.

FAITH
Spin me again.

Jerry Wayne looks at the sign. It reads "Vote: Alvin
Johnson, Sheriff." He smiles.

JERRY WAYNE
Okay this is it. Last time.

FADE TO BLACK.

Faith giggles.