

You're the Jury: The State vs Max Cooper

Steve and Susan Shear





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YOU'RE THE JURY: THE STATE VS. MAX COOPER

by Steve Shear and Susan Shear

SYNOPSIS

Peter Lambert moved into a tranquil community and soon began terrorizing the neighbors. Max, an upstanding member of the community, soon found himself in a feud with Peter that escalated to one fateful night that ended with Max shooting Peter in the shoulder, causing Dean Palan, an innocent bystander, to veer off the road and die. Arrested for the attempted murder of Peter Lambert, and the death of poor Dean Palan, Max contends that he "didn't know the gun was loaded with real bullets," and that his wife, Savannah, switched the blanks for the real thing. Savannah was outraged by the accusation even though she had a flirtatious reputation and was rumored to have been 'involved' with Peter. The State argues that rage and revenge were involved in this exciting courtroom drama laced with humor, in which the audience, as the jury, must deliver the verdict. Three different endings are provided depending on the jury's outcome.

CAST

OFFICERS OF THE COURT

JUDGE FRANCIS HART

JODY GREENSTREET, Bailiff

TERRY STONE: Attorney for the Defense

ALEX RHODES: Attorney for the Defense

LESLIE LARUE: Attorney for the State

DALE LANE: Attorney for the State

CONNIE JOHNSON: Attorney for the State

DEFENDANT

MAX COOPER

WITNESSES

REGGIE BRINWALLER: State Witness

EVERY SUMMERS: State Witness

LONNIE JACOBSON: State Witness

PETER LAMBERT: State Witness
VAL BAKER: State Witness
CARRIE BRUBAKER: State Witness
NOLAN HINKLE: State Witness
LOREN WINER: Defense Witness
SAVANNAH COOPER: Defense Witness

RUDY OLIVER: Reporter

PRODUCTION NOTES

At most 18 actors, many gender and age neutral roles, doubling possible, e.g., four actors can play all the witnesses except for the Coopers. With the exception of Max and Savannah Cooper, Peter Lambert, and Nolan Hinkle, all other roles are gender neutral MALE OR FEMALE, and have gender neutral first names. In the script, this is written as "M_. [name]." Please also insert your own local names in place of the items in brackets, such as "[KNSB] Television," and "[SaddleBrooke community, just north of Tucson, Arizona]."

Attorneys can carry legal pads on stage and refer to their lines periodically. Some witnesses can have notes as well, so long as they're referring to notes makes sense for their character.

Setting: A Courtroom in which the audience takes the role of the Jury. The actors' set includes a Judge's Bench, a Witness Stand, a Bailiff's Box, an Exhibit Table, and Attorneys Tables and Chairs.

PROLOGUE

(After the audience is seated, Witnesses enter and take seats along the walls in the audience, then the Reporter, RUDY OLIVER, enters holding a hand-held microphone.)

RUDY: This is Rudy Oliver reporting live for [KNSB] Television on the sensational trial of Max Cooper who is accused of shooting and wounding his neighbor, and causing the death of an innocent man here in the [SaddleBrooke community, just north of Tucson, Arizona]. And he did this all in the name of rage and revenge according to the State Prosecutors. Will Max Cooper be convicted? The community is holding its breath, waiting for the outcome of this amazing case.

(Defense Attorneys and MAX COOPER enter)

RUDY: *(RUDY rushes toward MAX)* Ladies and Gentlemen, the Defendant, Max Cooper, just entered the courtroom with his two attorneys, Terry Stone and Alex Rhodes. Let's see if they'll talk to us... Mr. Cooper, are you confident that the jury will acquit you?

MAX: No comment. I have nothing to say to the press. *(He heads for his table followed by his Attorneys)*

RUDY: *(RUDY approaches Attorneys)* M_. Rhodes, M_. Stone, how confident are you of an acquittal?

STONE: Max Cooper is NOT guilty. We are quite confident the jury will arrive at the same conclusion. *(STONE abruptly leaves RUDY and heads for the defense table.)*

(RHODES follows STONE and sits at the defense table)

(Prosecution team enters)

RUDY: *(RUDY approaches LANE)* Ladies and Gentlemen, let's see if we can get a word from the Prosecution... M_. Lane, how do you feel about your case for the State?

LANE: M_. Oliver, how nice to see you. Our team is confident that we will prevail, that Max Cooper will find himself behind bars before the day is over.

(Entire Prosecution team heads for the Prosecution table)

RUDY: *(whispering)* I'll be back after the verdict is in and from time to time in between. This is Rudy Oliver signing off for now. *(RUDY exits or sits)*

ACT ONE

BAILIFF: *(BAILIFF enters and remains standing at the bailiff box and wraps his gavel)* Hear ye, hear ye, the Court is now in session. All rise. *(BAILIFF motions for all, including the audience, to rise)* Superior Court Number Four of the State of [Arizona]. The Honorable Judge Francis Hart presiding.

JUDGE: (*The JUDGE enters the courtroom and remains standing as the audience and all others including the Attorneys and Defendant stand. The judge sits and all do the same.*) The State vs. Max Cooper. M_. LaRUE, M_. Lane, M_. Johnson, are you ready?

LARUE: Ready, Your Honor.

LANE: Ready, Your Honor.

JOHNSON: Ready, Your Honor.

JUDGE: M_. Stone, M_. Rhodes?

STONE: Yes, Your Honor.

RHODES: Yes, Your Honor.

JUDGE: The Bailiff will swear in the Jury.

BAILIFF: (*walks to center stage*) Jurors, please raise your right hands. Do you solemnly affirm that you will consider all the evidence in this case, follow the instructions given to you, deliberate fairly, and impartially and reach a fair verdict under the pains and penalties of perjury...[and the elimination of any dessert at recess].

JURORS: I DO.

BAILIFF: You may be seated. (*The BAILIFF motions to the Jurors to take their seats. BAILIFF sits*)

JUDGE: (*JUDGE directs his/her attention to the Jury*) Ladies and Gentlemen, you are the Jurors who will try this case. I charge you with the duty of listening to the testimony carefully. At its close you will deliberate and vote upon your verdict in accordance with the evidence and the instructions I shall provide, and you will pronounce your judgment to the best knowledge of your hearts and minds. You are to determine whether the Defendant, Max Cooper, is guilty or not guilty of Count One, assault and battery, and Count Two, murder in the second degree. Counsels for the State, you may now proceed with your opening Statement.

LARUE: *(stands and walks the courtroom)* Your Honor, Ladies and Gentlemen of the Jury, my name is Les LaRue and I along with my co-counsels represent the State. The evidence in this case will show that on October 4, [____], at approximately 5:30 in the evening, harsh words were spoken between Max Cooper and Peter Lambert. As a result, the Defendant, Max Cooper, INTENTIONALLY, and with malice in his heart, shot and wounded Peter Lambert with a Smith & Wesson revolver that HE, the Defendant, purchased just weeks earlier.

The evidence will further show that AS A RESULT of that shooting, that cold and callous crime, Peter Lambert's Dodge pickup rolled back onto the road killing Dean Palan. And why would one man shoot another man in cold blood, and in broad daylight? I will tell you why, Ladies and Gentlemen. Just two powerful reasons—RAGE and REVENGE.

Now, for this cold and callous crime, we are asking you to return two guilty verdicts. First, a guilty verdict of assault and battery because Max Cooper did indeed intentionally shoot and wound Peter Lambert. Second, a guilty verdict of MURDER IN THE SECOND DEGREE because Max Cooper committed a FELONY resulting in Dean Palan's death.

Thank you Ladies and Gentlemen of the Jury. (LARUE sits)

JUDGE: M_. Stone, M_. Rhodes, would you like to make an opening Statement for the Defense?

STONE: We will defer our opening statement until after the State presents its case, Your Honor.

JUDGE: In that event, the State may proceed.

JOHNSON: *(stands)* I would now like to call my first witness, Deputy Reggie Brinwaller.

BAILIFF: *(stands)* Deputy Reggie Brinwaller.

(BRINWALLER enters and stands by the witness chair)

BAILIFF: (*approaches BRINWALLER*) Please raise your right hand. Do you solemnly affirm to tell the truth, the whole truth, and nothing but the truth under the pains and penalties of perjury?

BRINWALLER: I do. (*BRINWALLER sits in the witness chair*)

(*BAILIFF sits*)

JOHNSON: (*approaches BRINWALLER*) Please state your name and occupation.

BRINWALLER: My name is Reggie Brinwaller and I am a police officer with the [Pinal County] Sheriff's Department. (*BRINWALLER refers to notes as he/she gives testimony*)

JOHNSON: In the course of your duty, Deputy Brinwaller, what were you called upon to do at approximately 5:30 in the evening of October 4th last?

BRINWALLER: In response to a 911 emergency call reporting what was thought to be an automobile accident, my partner, Ralph Green, and I were dispatched to [Catalina Hills Drive] within the [SaddleBrooke] community. My partner, Ralph and I arrived at the scene several minutes before two fire trucks and an ambulance.

JOHNSON: And what did you find upon arriving at the scene?

BRINWALLER: As we came over the third hill, I observed a midnight gray Lexus SUV with [Arizona] vanity plate [LUV SB] parked just beyond the north edge of the road facing south, and close by was a blue Dodge pickup facing in generally the same direction, but a good five feet into the middle of the road. Seconds later I could see a red convertible overturned in the embankment across the road and a body in the field not far from the convertible.

JOHNSON: And the body, that was Dean Palan, the owner and driver of the red convertible?

BRINWALLER: Yes. He was pronounced dead at the scene.

JOHNSON: Was there anyone else at the scene?

BRINWALLER: The paramedics discovered Peter Lambert in the Dodge pickup right away, only semiconscious and bleeding. He had been shot in the shoulder and was taken to the hospital shortly thereafter.

JOHNSON: Who else did you find at the scene?

BRINWALLER: Dr. Avery Summers, the person who made the 911 call. I also found the Defendant, Max Cooper, and his wife, Savannah Cooper, huddled together in the front seat of the gray Lexus. He was in the driver's seat bent over and his wife was seated next to him.

JOHNSON: Before we go any further, Deputy Brinwaller, let me show you a diagram that has been marked Exhibit 1 for identification. (*JOHNSON picks it up from the exhibit table*) Do you recognize it?

BRINWALLER: Yes. It shows the Defendant's Lexus SUV on the side of the road, Peter Lambert's Dodge pickup in the road, and Dean Palan's convertible overturned in the embankment. The X marks where Mr. Palan's body was found.

JOHNSON: Thank you Deputy Brinwaller. (*Johnson returns the diagram and picks up a revolver at the exhibit table*) I am now handing you this Smith & Wesson revolver, Exhibit 2, for identification. Do you recognize it?

BRINWALLER: Yes. I found it on the Defendant's lap while he was still crouched over. Later, we established that the revolver was owned by and registered to Max Cooper.

JOHNSON: Thank you again Deputy Brinwaller. That will be all. Your witness, M_. Stone. (*JOHNSON returns the revolver to the exhibit table and then sits*)

STONE: (*Stands and approaches the witness*) Deputy Brinwaller, did either Max Cooper or his wife say anything to you as you approached their vehicle?

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