

not identify Steve as being in the store. It was reinforced with every witness the State brought to the stand.

It's up to you, the jury, to find guilt where there is guilt. It is also up to you to acquit when guilt has not been proven. There is no question in my mind that in this case, as regards Steve Harmon, guilt has not been proven. I am asking you, on behalf of Steve Harmon, and in the name of justice, to closely consider all of the evidence that you have heard during this last week. If you do, I'm sure you'll return a verdict of Not Guilty. And that will be the right thing to do. Thank you.

**MS: PETROCELLI from POV of JURY. Behind her we see the prosecutor's table and the two defense tables. We see the two defense lawyers watching intently. Neither STEVE nor KING is directly facing the camera.**

### **PETROCELLI**

I would also like to thank you for your attention in this trial. The defense has just given you its version of the facts in this case, and now it is the State's turn.

Let me start by refocusing this case. The defense wants you to go into the jury room thinking that this case is about the character of Mr. Zinzi, who testified that he heard a story about someone who stole cigarettes. It is not

about his character. The defense wants you to think that this case is about the character of Mr. Bolden, who bought cigarettes. It is not about his character. The defense wants you to consider the character of Osvaldo Cruz. But this case is not about whether Mr. Cruz is someone we would invite to a party or have as a friend. The defense wants you to dwell on the character of Richard "Bobo" Evans. He is not a nice man, they are saying, and so you should discount his testimony. But this case is not about the character of any of these witnesses. This case is about a crime that was committed on the 22nd of December in which an innocent man, Alguinaldo Nesbitt, was brutally murdered. I don't know what kind of man Mr. Nesbitt was, but I know he did not deserve to be killed in his store, left on the floor while his killers snacked at a fast-food restaurant. This case is not about the characters of Zinzi, Bolden, Cruz, or Evans; it is about Mr. Nesbitt's right to live, and to enjoy the fruits of his labor. It is about the right we all have to life, liberty, and the pursuit of happiness. It is the contention of the State that no one has the right to deprive us of the precious gift of life. It is the contention of the State and it is also the law of the land.

A lot has been said about the motivation of some of the witnesses. They testified, according to the defense, only because they were given a break in their sentencing.