

them.

CUT TO: LONG SHOT (LS) of PETROCELLI. She stands at the podium in front of the JURY. She smiles at the JURORS, and some smile back.

PETROCELLI

Good morning, ladies and gentlemen. My name is Sandra Petrocelli and I'm an Assistant District Attorney for the State of New York. I am representing the people in this matter, which you were informed during jury selection is a case of felony murder. We're here today basically because this is not a perfect world. The founding fathers of our country understood this. They knew that there would be times and circumstances during which our society would be threatened by the acts of individuals. This is one of those times. A citizen of our city, a citizen of our state and country, has been killed by people who attempted to rob him. To safeguard our society, a system of laws has been created. You, the jury, are part of this system of laws. I represent the State of New York and I am part of that system, as are the judge and all the participants in this trial. I will do my best to bring you the facts of this case, and I know you will do your best to judge the merits of the case.

Most people in our community are decent, hardworking

citizens who pursue their own interests legally and without infringing on the rights of others. But there are also monsters in our communities—people who are willing to steal and to kill, people who disregard the rights of others.

On the 22nd of December of last year, at approximately 4 o'clock in the afternoon, 2 men entered a drugstore on 145th Street in Harlem. The State will contend that one of those men was Richard "Bobo" Evans. The State will contend that the other man who entered the store at that time, and who participated in the robbery and the murder, was James King.

PETROCELLI points to the table at which JAMES KING sits.

Mr. King is the man sitting at that table who is wearing a brown suit and is sitting at the right of the table. You were introduced to him during the jury selection process. He is one of the men on trial here today. The purpose of the 2 men entering the store on that Monday was very simple. They were going to rob the owner, 55-year-old Alguinaldo Nesbitt. We will show that although the 2 men did not have a gun with them, the owner of the store did have a gun for which he had a license, and produced it to defend his property.