

MEDIUM

Episode 002

"SUSPICIONS AND CERTAINTIES"

Written By

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Directed by

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CAST LIST

ALLISON DUBOIS.....	PATRICIA ARQUETTE
JOE DUBOIS.....	JAKE WEBER
DISTRICT ATTORNEY DEVALOS.....	MIGUEL SANDOVAL
ARIEL DUBOIS.....	SOFIA VASSILIEVA
BRIDGETTE DUBOIS.....	MARIA LARK
IVAN KINETKO.....	JOHN MESE
OLDER MAN.....	BRUCE GRAY
KAMALA.....	LISA LACKEY
ALAN.....	WALLACE LANGHAM
DIANE.....	REBECCA METZ
MAXINE HARRIS.....	AISHA HINDS
WOMAN IN EARLY 40'S.....	ROMY ROSEMONT
DEVALOS ASSISTANT.....	KENDAHL KING
JUDGE.....	JOHN WESLEY
JUDGE #2.....	ALAN WOOLF
OFFICER #1.....	BRUNO GIOIELLO
OFFICER #2.....	JOHN EDDINS
OFFICER #3.....	DERK CHEETWOOD
NEWSWOMAN.....	ANNA MAGANINI
DEFENSE ATTORNEY #2.....	HOWARD MILLER
DEFENDANT.....	REED FRERICHS
FOREMAN.....	BW GONZALEZ
11 YEAR-OLD BOY.....	ANDREW HEALD
WELL GROOMED MAN/DETECTIVE.....	THOMAS VINCENT KELLY
WAITER.....	BRUNO OLIVER

SET LIST

INTERIORS

Dubois House
Bedroom
Hallway
Kitchen
Family Room
Entryway
Girls' Room

County Courthouse
Courtroom
Corridor

District Attorney's Office
Devalos' Office
Conference Room
Bullpen Area

Car

Restaurant

Rustic Cabin

Hospital Room

Motel Room

Devalos' House
Bedroom

EXTERIORS

Dubois House

Fast Food Play Area

Back Yard

Courthouse

"SUSPICIONS AND CERTAINTIES"

FADE IN:

1 TIGHT ON A WOMAN'S LIPS

1

Plump. Puckered. Beckoning. And through the darkness a man's mouth descends. A kiss. A gentle kiss. And then we watch as his hand swoops beneath her head and he pulls her to him.

FROM THE SIDE

...his hands beneath her...guiding her legs around his hips. His chest on top of her breasts, his mouth glued to hers.

FROM ABOVE

...as they break apart for air, and a moment later he buries his head in her neck, making his way down her body with his mouth.

ANOTHER ANGLE

...as they roll over, entwined in each other. Two naked adults making love in the half-light of an anonymous MOTEL ROOM BED.

ON THE MOTEL ROOM WINDOW

...as from SOMEWHERE UNSEEN we HEAR the SOUND of SEVERAL CARS PULLING UP and SCREECHING TO A HALT...their headlight beams traveling across the half closed mini blind slats.

ON THE MAN AND THE WOMAN

...as they both freeze at THE SOUND. And seconds later, the white circles of four or five flashlight beams begin to dance above the headboard as...

UNSEEN VOICE (O.C.)
(FILTERED; through a MEGAPHONE)
*Ivan Kinetko? Ivan Kinetko? This is the
Greater Phoenix Police!*

*

ON KINETKO

*

...as he suddenly sits BOLT UPRIGHT in bed, sweat beginning to glisten on his face.

UNSEEN VOICE (CONT'D)
*We have a warrant for your arrest. The
building is completely surrounded.*
(MORE)

UNSEEN VOICE (CONT'D)
*Present yourself at the front door with
your hands above your head in fifteen
seconds or we are coming in.*

KINETKO
(a quiet whisper to his lover)
Sssshhhh. It's okay. Don't panic.
Just...cover up.

He reaches over and pulls the blanket up and around her, then reaches down and begins to pull on his underwear.

UNSEEN VOICE (O.C.)
Mr. Kinetko? You have ten seconds!

KINETKO
(calling back)
Ten seconds to what? Can't we talk? Can't
a man take his girlfriend to a hotel
for...

...but before he can finish the sentence...

BANG!!!

...the HOTEL ROOM DOOR is KICKED OPEN...SEVERAL RIFLE BARRELS THROUGH the window beside it...

ANOTHER ANGLE

...as FIVE OFFICERS in flak gear and night-vision goggles, pump rifles pressed to their shoulders, come charging THROUGH THE DOOR and into the DARK ROOM.

ON KINETKO

...sitting on the bed in his underwear---his hands over his head.

KINETKO
(wired; panicked now)
Cover up, Baby. Cover up. Don't worry.
This is about me. This isn't about you.

ANOTHER ANGLE

...as one OFFICER APPROACHES with HANDCUFFS, FORCING Kinetko's hands behind him while another OFFICER begins to READ him his MIRANDA RIGHTS...and all the while Kinetko keeps talking to his friend.

OFFICER #1
You have the right to remain silent. Anything you do say may be used against you in a court of law. You have the right to consult an attorney before speaking to the Police and to have an attorney present during questioning now or in the future. If you cannot afford an attorney...

KINETKO
Stay covered there. Don't compromise your modesty. You haven't done anything wrong. (looking up at the Officers)
Have you no decency? Have you no shame? Turn your back and let the woman get dressed. *

...but instead the Officers GRAB Kinetko by the arm and hoist him off the bed and begin LEADING HIM OUT of the hotel room... *

KINETKO
(calling back to her)
Don't worry, Darling. I'm calling my lawyer as soon as we get to the Police Station. He'll have this whole thing unwound before you can say A.C.L.U. *

...and as he PASSES US we PAN BACK to the BED, where yet another OFFICER is standing over the woman who appears to be cowering beneath the sheets and blankets.

OFFICER #2
Miss? I understand your discomfort, but I'm going to need you to tell me who you are and show me some identification.

...but the woman doesn't make a peep. And after a moment, the officer grabs the edge of the sheet and gently gives it a tug...

OFFICER #2
(switching on the beside lamp)
Miss?
(quietly; to himself)
Oh Man...

ON THE WOMAN'S FACE

...the first thing you notice is the EYES, sunken into the skull. They seem to be floating---disconnected. And then there is the complexion---an ashen, chalky white. And then finally, there is the skin itself---which seems to hang off the face in pieces.

1 CONTINUED: (3)

OFFICER #3
(walking over)
Whatcha got there Ronny? She underage?

OFFICER #2
(he can barely speak)
No. Kinda the opposite problem. Looks
like she's been dead about two weeks.

...and with that OFFICER #3 takes a look, freezes in his
tracks and lets out A SCREAM...

OFFICER #3
Ahhhhhhhhh!!!!

But the SCREAM that comes out of his mouth is a WOMAN'S
SCREAM. In fact, it sounds an awful lot like...

SHOCK CUT TO:

2

2 ALLISON

...her head sideways in the FRAME, buried in her pillow. It
is the MIDDLE OF THE NIGHT and she is in her own bed. And she
opens her eyes with a START. And we realize the SCREAM is HER
SCREAM.

ALLISON (CONT'D)
.....hhhhhhh!!!!

...and SUDDENLY she stops...seeing...

BRIDGETTE

...her four year old daughter...lying directly beside her in
bed...SCREAMING BACK.

BRIDGETTE
Ahhhhhhhhh!

ANOTHER ANGLE

...as Allison reaches for her...and PULLS HER CLOSE. And
beyond the little girl we can see Allison's husband JOE,
lying in bed...clutching his chest in mock heart attack
horror...

ALLISON
(pulling Bridgette close; half
to her and half to Joe by way
of explanation)
I'm sorry. I'm sorry.
(MORE)

*

2

CONTINUED:

ALLISON (cont'd)

Mommy had a bad dream. I didn't mean to
scream. Mommy just had a bad dream.

BRIDGETTE

Mom---eeeeee! You gotta stop doing that!

JOE

(still trying to catch his
breath)
Yeah, Mommy. Could you maybe stop doing
that?

...and we...

SHOCK CUT TO:

TITLE SEQUENCE

ACT ONE

FADE IN:

3 INT. DUBOIS HOUSE - DAY

3

...as nine year old ARIEL comes out her BEDROOM DOOR and into THE HALLWAY and makes her way towards THE KITCHEN, still in her bathrobe, and we TRAVEL with her...

ARIEL
(CALLING LOUDLY as she walks)
Mom?!!!
(getting no answer; shouting
into the air)
MOM??? It's thirty seven after seven and
I haven't eaten and I don't have lunch
money and today's the class trip so I
have to have my blue jumper and you
didn't sign my permission slip and
Bridgette keeps picking her nose and
flinging snotballs at me.

BRIDGETTE
(four steps behind her)
You lie!!!!

...and ARIEL stops in her tracks and TURNS to confront her sister...and the second she does, BRIDGETTE flicks a snotball at her.

4 INT. DUBOIS HOUSE - BEDROOM - DAY

4

*

...where Allison lies in bed, covers over her head...even as she hears her children's voices LEAKING through the wall...

ARIEL (O.C.)
I'm going to kill you!

BRIDGETTE (O.C.)
You kill me and I'll tell Mom!

ANOTHER ANGLE

...as she ROLLS OVER onto her side to DISCOVER...

AN OLDER MAN

...LYING IN BED BESIDE HER. He looks at her with mild contempt...

4

CONTINUED:

OLDER MAN

Get out of bed and deal with your children. Can't you hear them? They need you.

(shaking his head)

I'll be damned if I know what my son sees in you.

ARIEL (O.C.)

You won't tell Mom, cause you'll already be dead!

ALLISON

It's okay. You already are damned.

BRIDGETTE (O.C.)

I will not be dead, cause I'm killing you first!

...and she PULLS the covers back over herself TURNING FROM HIM to DISCOVER...

JOE

...standing at the end of the bed, tucking in his shirt. He clearly doesn't see his Father.

JOE

(singing)
It's a beautiful day in the neighborhood...
A beautiful day to be neighbors.
Would you be mine?

(and then; seeing no movement)

Darling? This is your wake up call.

ARIEL (O.C.)

No. I'm killing you first. And then I'm quitting this family.

ALLISON

(peeking out from under the covers to see that his father is no longer there; and then; turning to Joe)

Go away. It is not a beautiful day. Do you not hear the death threats wafting in from the hall?

BRIDGETTE (O.C.)

You can't quit the family. Not without Mommy and Daddy's permission!!!

JOE

(calling off)

Girls!!!! Stop threatening to kill each other. Mommy finds it depressing.

...and the COMMOTION SUDDENLY STOPS...and Joe reaches over and gently pulls the sheet down that covers Allison's eyes and sits on the bed beside her.

ALLISON

But I don't want to wake up. You're right. I'm depressed.

JOE

Y'know what depression is? It's un-channelled anger.

ALLISON

Thank you. Thank you for telling me that. Everything's different now. But I'm still not getting up.

*
*

JOE

Allison...

ALLISON

Did you hear her? Did you hear Ariel? She has a thrilling day lined up. Class trip. Snot-ball dodging. Sister killing. She's nine years old. I, on the other hand, am thirty three and once you go to work and the girls go to school I have nothing to look forward to.

*

*
*
*
*

JOE

Al...

*
*

ALLISON

If I organize one more drawer I'll go out of my mind.

*
*
*

JOE

Objective observation? Ever since you made the decision not to get your law degree...to go work for the D.A. as a consultant...I don't know...you seem kinda...

He shrugs.

ALLISON

Bitchy? Cranky? Pissed off?

JOE

You can read minds!

ALLISON

(a small smile; and then)
It's hard. They never call. He said he wanted to use me but...

(MORE)

4 CONTINUED: (3)

4

ALLISON (cont'd)
(and then)
Maybe he changed his mind.

JOE
I don't think he changed his mind. It's
Phoenix. How many cases do you think
there are where he can actually use
someone like you?
(pushing himself off the bed)
He'll call.
(MORE)

4

CONTINUED: (4)

4

JOE (cont'd)

When he's got something where he needs
you...he'll call.

(snapping his fingers; turning
back to her)

Ooooh...y'know what I meant to ask you?
This'll cheer you up. What's the chance
of us getting a sitter tonight?

She looks at him.

JOE

The Siscos want to have dinner.

Allison covers her face again with the covers.

JOE

C'mon. The Siscos. You *like* them. And
you'll never guess where.

ALLISON

Remember who you're talking to.

(and then)

Not the place we went last weekend?

JOE

What's the problem. It's a nice place.

ALLISON

But we were just there!

JOE

I know. But it's the place the Siscos
told us about. The place we promised we'd
try with them. I didn't have the heart to
tell Nick we'd already been.

Besides...they're talking about maybe
inviting the Hammersmiths and the Perrys,
too. Nick mentioned it at lunch
yesterday. Completely slipped my mind.

*

*

Allison says nothing.

JOE

So is we in or is we out?

ALLISON

Dinner with four rocket scientists and
their lovely wives? Oh joy. I can barely
keep my legs together at the mere thought
of it.

4 CONTINUED: (4)

4

JOE
(smiling; reaching for his
loose change on the dresser)
That's okay. I'm not much interested in
you with your legs together anyway.

...and with that he TURNS...and reaches for THE BEDROOM
DOOR...

JOE
(playfully; CALLING as he makes
his way through the door and
into the hall)
Girls!!!!??? Mommy needs help getting out
of bed!!!

...and on Allison's look of horror...we...

SHOCK CUT TO:

5 A GAVEL

5

...being banged for SILENCE ON A JUDGE'S BENCH...

JUDGE
Will the Jury Foreman please rise and
face the Court?

...and we watch as THE FOREMAN RISES.

ANOTHER ANGLE

...to REVEAL that we are in a COUNTY COURTROOM. Sitting
behind the PROSECUTION TABLE are DISTRICT ATTORNEY DEVALOS as
well as several other ASSISTANT DISTRICT ATTORNEYS and
CONSULTANTS. Devalos bites his lip nervously and plays with
his pen.

JUDGE
Will the Defendant please rise?

DEVALOS
(under his breath; to himself)
Here we go...

...and we PAN OVER to the DEFENSE TABLE where the GUILTIEST
LOOKING BASTARD in the history of series television RISES
from his seat wearing PRISON ORANGE and CHAINS. His defense
attorney reaches over and pats the top of his hand in
support.

5 CONTINUED:

5

JUDGE

(turning to the Foreman)
And on the count of First Degree
Murder...how does the jury find?

FOREMAN

Your honor...it is with some regret that
I report that we were unable to find
unanimity and are hopelessly deadlocked.

ON THE DEFENDANT

...what?...and it takes a second. And then it hits him.
Deadlocked. And he smiles a small smile...and then starts to
laugh to himself.

DEFENDANT

Oh my God...

..and the Defense Attorney smiles from ear to ear. And we
quickly PAN over to the PROSECUTION TABLE where Devalos looks
STRICKEN. A WOMAN IN HER EARLY FORTIES who sits beside him
looks equally pained. And we...

SHOCK CUT TO:

6 EXT. COURTHOUSE - DAY

6 *

...as the COURTROOM empties out and BODIES PASS IN FRONT of
us, but THROUGH THEM we can just make out DEVALOS, PACING
BACK AND FORTH in front of the WOMAN IN HER EARLY FORTIES...

DEVALOS

Mistrial. Judge declared a mistrial.

WOMAN IN HER EARLY FORTIES

(chastened; muted)

Yes. I know. I was there.

DEVALOS

(still pacing; not looking up)
Jury just couldn't convict.
Understandable. Captured the bastard
covered in his victim's blood. Still
holding the chain-saw he used to cut the
body into nine pieces so it would fit
into the tall kitchen garbage bags he had
on hand as opposed to simply cutting it
in half and using the extra strength
backyard and garden bags he had on his
"to-do" list to pick up.

WOMAN IN HER EARLY FORTIES
No. I know. I heard the testimony.

DEVALOS
But still...the jury couldn't convict.
Deadlocked.

WOMAN IN HER EARLY FORTIES
I know.

DEVALOS
You know?
(finally looking up)
Well that's good that you know. You're a jury consultant. You *should* know something. I mean...we spent thousands of dollars of tax-payer money to hire you...countless man-hours interviewing and profiling and testing a hundred and some-odd citizens so we could find the perfect jury...hoping against hope that we could send this piece of human smegma to get a lethal injection. So it's good that you know *something*. Because it's clear the one thing you *don't* know is how to pick a jury that will vote for the death penalty.

She just looks at him for the longest time, saying nothing. And then...finally...

WOMAN IN HER EARLY FORTIES
District Attorney Devalos...I don't think I like your tone.

DEVALOS
Well I guess we're even. I don't think I like your work.

WOMAN IN HER EARLY FORTIES
Mr. Devalos...as you well know...jury selection is an art...not a science. There are *never* any guarantees. Particularly when you're asking one human being for permission to kill another human being.

(a moment; and then)
Now if you'll excuse me... I need a cigarette.

...and with that she turns and starts off...

6 CONTINUED: (2)

6

DEVALOS
(calling after her)
Permission granted.

...and we...

SHOCK CUT TO:

7 A TELEVISION SCREEN

7

...tuned to the GAME SHOW NETWORK. An old Black and White tape of PASSWORD is on. A forty years younger Betty White looks at her team-mate and says...

BETTY WHITE
"Ridiculous".

CONTESTANT
(considering; and then)
"Stupid".

The audience LAUGHS. We can plainly see that the password, "Absurd" is "supered" over the set.

ALLEN LUDEN
That's my wife, Sir!

The audience LAUGHS again. And then we HEAR Allison's voice.

ALLISON (O.C.)
(quietly; to herself)
"Absurd".

ALLEN LUDEN
For nine points Paul...

*

...and as PAUL ANKA considers his clue we begin to PULL BACK from the television, REVEALING that we are in ALLISON'S FAMILY ROOM...

PAUL ANKA
(affecting an accent)
"English".

ALLISON (O.C.)
"Absurd".

CONTESTANT #2
"Proper?"

ALLEN LUDEN
Proper. Proper english. No.

7

CONTINUED:

7

ALLISON (O.C.)

"Absurd, absurd, absurd, absurd."

BETTY WHITE

"Silly".

CONTESTANT

"Foolish".

And finally we PULL BACK FAR ENOUGH TO REVEAL that Allison is sitting with HER BACK TO THE TELEVISION, holding her sleeping two year old in her arms.

ALLISON

"Absurd".

(to herself)

The answer's absurd.

...and we can't help but notice how her eyes dart up and look off at...

A STAINED GLASS CABINET

...and plainly visible behind the glass, a bottle of vodka.

TIGHTER ON ALLISON

...clearly contemplating the bottle when SUDDENLY...

THE PHONE RINGS

...and with one hand Allison hits MUTE on the TV remote while with the other she GRABS THE PHONE...

ALLISON

Hello?

...and we INTERCUT WITH...

8

INT. DISTRICT ATTORNEY'S OFFICE - BULLPEN AREA - DAY

8

*

...where a MEMBER OF DEVALOS'S SUPPORT STAFF speaks into a phone...

DEVALOS ASSISTANT

Good morning. Is Allison Dubois available for District Attorney Devalos?

ALLISON

Oh my God. You have no idea.

8 CONTINUED:

8

...and then, realizing she hasn't answered the woman's question..

ALLISON

Yes. That's a yes.

...and we...

SHOCK CUT TO:

9

EXT. A FAST FOOD PLAY AREA - DAY

9

...as CHILDREN FROLIC on play equipment...

REVERSE ANGLE

...to REVEAL Allison's face, pressed up against the rubber mesh fencing, sipping a soda and watching her two year old play in the sea of colored balls.

VOICE (O.C.)

Miss Dubois?

...and Allison turns with a start to DISCOVER a tall, WELL-GROOMED MAN in a suit standing behind her.

WELL-GROOMED MAN

District Attorney Devalos is waiting for you.

...he points several yards away where there are concrete tables for the fast food customers to eat. And there, seated at one, is DEVALOS dipping french fries in a paper plate full of ketchup, a large file folder by his side...

WELL-GROOMED MAN

(reacting to the look on her face)

Don't worry. I'll keep an eye on your Baby.

Allison's expression doesn't change.

WELL-GROOMED MAN

I'm a Detective with the Phoenix P.D. Trust me. She'll be here when you get back.

Devalos waves in the distance. Allison smiles politely at the Detective and wordlessly reaches into the ballcourt and picks up her child.

*
*
*

9 CONTINUED:

9

ALLISON
(to the Detective)
No offense...

*
*

...and we...

CUT TO:

10 DEVALOS

10

...as he continues funneling french fries into his mouth...

ALLISON (O.C.)
That's a mighty heart-healthy lunch
you're having there.

Devalos looks up and smiles.

DEVALOS
Are you trying to tell me something? You
had some kind of vision about my health?
Have you seen something prescient as it
relates to my well-being?

ALLISON
(a shrug)
No. Just something I say whenever I see a
middle aged man eating starch fried in
lard.

Devalos stops what he's doing...STARES at the fry in his hand
and instead of putting it in his mouth, returns it to his
plate. Indicates Allison and her baby should sit. And she
does. There is an uneasy SILENCE between them...until
finally...

*

ALLISON
Buyer's remorse?

DEVALOS
(not understanding)
Excuse me?

ALLISON
Haven't heard from you in a while.
Figured maybe you thought about it and
realized there was really no place for me
in a District Attorney's office. I
mean...given what I do.

He looks at her for a LONG MOMENT and then SMILES AND
SHRUGS...he's clearly ambivalent.

10 CONTINUED:

10

He looks away and doesn't speak as if weighing something in his mind. And then...finally...

DEVALOS

Take me through it one more time.
This...*thing* you experience.

Allison looks around. She is clearly uncomfortable with this topic. She LEANS IN CLOSE and LOWERS her voice.

ALLISON

I mean...if you forced me to break it down...categorize it...well I guess the big thing...I mean it's been going on since I was kid..is...I see...people that have passed. Their spirits. They come to me. Tell me things.

DEVALOS

People that have *passed*?
(and then; he has to be sure)
Dead people?

Allison nods.

DEVALOS

What? They just...come to your house?

She shrugs.

DEVALOS

Without being invited?

ALLISON

(what the fuck?)
They're *never* invited.

*

DEVALOS

Of course not.
(and then)
Well...to be honest...I don't quite know what to do with that. I mean...not that I doubt you. But from a prosecutorial point of view...

ALLISON

No. I know. I just...I also have dreams.

DEVALOS

Dreams? Dreams that...come true?

She shrugs again. No one says anything for a moment.

DEVALOS

Okay. Dreams. But again...in a court of law...

ALLISON

No. I know. Believe me...I hear this stuff coming out of my mouth...

She shakes her head in her disbelief. There is another LONG SILENCE.

DEVALOS

What about..."reading minds"?

*

ALLISON

I'm sorry?

DEVALOS

Can you guess what a person's thinking? Maybe even what their attitude might actually be about something?

ALLISON

I don't know. Sometimes.

He looks at her for a long moment.

ALLISON

What?

DEVALOS

I'm not sure "sometimes" is good enough.

ALLISON

Good enough for what?

He hands her a file folder. She opens it. We do not see what she sees. Only her reaction to it. She covers her mouth...clearly on the verge of getting sick.

DEVALOS

He suffocates them. Then hangs onto the corpses for days...sometimes weeks...and has sex with them. Over and over again. Six of them that we know of.

Allison puts the folder on the table and closes it. She is clearly repulsed.

DEVALOS

His sentencing trial is in three weeks. Jury selection starts Monday.

(MORE)

10 CONTINUED: (3)

10

DEVALOS (cont'd)

You think you could help me find a jury to give him the maximum sentence? Twelve men and women who would actually vote "yes"?

She stops and thinks for a moment.

ALLISON

Well, I think so. I mean...I'd certainly like to try.

Devalos looks off for a LONG MOMENT again.

DEVALOS

You understand what I'm asking? We have the death penalty here in Arizona. I'm asking you to help me send this man to his death. Are you okay with that?

ALLISON

If he's done the things you say he's done...why would I have a problem with that?

DEVALOS

I don't know. Some people might.

ALLISON

Well not me. No.

He smiles. Reaches across the table and picks up the folder and starts to rise.

DEVALOS

So then I'll see you Monday.

...and with that he starts off...making his way from the table towards his government vehicle.

ON ALLISON

...as she SMILES to herself. Finally...a sense of purpose. And SUDDENLY Devalos STOPS...

DEVALOS

Allison?

...and turns to the seated young woman and her baby once more.

*

DEVALOS

Obviously no one can know what you're doing. Helping us this way.

ALLISON
Obviously.

DEVALOS
So I can count on you. Keep it a secret.
I mean...your husband I suppose...but
beyond that...

ALLISON
(joking)
So now it's lying and sending people to
their death.

Devalos smiles at her joke, then turns and starts off, only
to STOP AGAIN after several steps and turn back to her...

DEVALOS
By the way, the man you're going to help
eliminate? His name is...

ALLISON
(finishing the sentence for
him)
...Ivan Kinetko. Yeah. I know. *

...and on Devalos look of surprise....we...

CUT TO BLACK

END OF ACT ONE

ACT TWO

FADE IN:

11 EXT. THE DUBOIS HOUSE - DUSK 11

...as Joe steps INTO FRAME, pulling his keys from his pocket and stabbing the FRONT DOOR with them. And no sooner is he THROUGH THE DOOR than...

12 INT. THE ENTRYWAY 12

...Allison is ON TOP OF HIM...

ALLISON

He called! He called! He called!

...arms around his neck, LEADING him through the house, NEVER ALLOWING THE CONVERSATION TO STOP FOR ONE SECOND during this one, long CONTINUOUS CAMERA SHOT...

JOE

I'm sorry. Who called?

ALLISON

The District Attorney's office. They need me! Say "hi" to the kids. *

...and they pass THE KITCHEN where the children sit eating Mac and Cheese in front of a GOTHED OUT BABYSITTER...

JOE

(a slight wave as he is being pulled)
Hi to the kids.

ARIEL

(calling after him; even though he's disappeared)
Hi Daddy.

BRIDGETTE

(doing the same)
Hi Daddy.

ALLISON

(a purr)
Hi Daddy.

JOE

Someone's in a good mood.

12 CONTINUED:

12

ALLISON
You can read minds too!

...and SUDDENLY they disappear behind the BEDROOM DOOR which closes RIGHT INTO CAMERA. And we...

SHOCK CUT TO:

13 INT. CAR - NIGHT

13

Joe drives. Allison sits in the passenger seat beside him, AMPED---talking a mile a minute. They both glow.

JOE
So Nick is married to Diane who's a financial something. And Alan is married to Kamala who's a doctor. A therapist of some kind. Works with kids. And Brett is married to Jennifer who works for some charity.

ALLISON
Nick and Diane, Alan and Kamala and Brett and Jessica

JOE
(correcting)
Jennifer.

ALLISON
Brett and Jennifer. Sorry.

JOE
A psychic with a bad memory. Go figure.

ALLISON
They just don't make 'em like they used to.

JOE
So tonight...

ALLISON
(interrupting)
Yes, yes, yes. Tell me all the verboten subjects. In fact, tell me twice cause I'm planning on having a couple of cocktails and I don't want to make any mistakes.

JOE
(amused)
No. No verboten subjects...

ALLISON
Now Alan...isn't he the one that you said
tried to get the lap-dance in his hotel
room in Toronto while you guys were at
that conference but the girl who showed
up turned out to be a cop? And then he
had to call the American consulate just
so he could go home?

*
*
*
*
*

JOE
That was Andy. And he doesn't work with
us any more. Security clearance problems.

ALLISON
Oh. Too bad. I think I liked him. Andy.
Aha. Not Alan.

JOE
Andy. Right. Definitely not Alan.

JOE
(and then)
Psychic with a bad memory

ALLISON
(a second after him)
Psychic with a bad memory.
(finger to forehead)
I knew you were going to say
that.

JOE
Ah. But do you *remember* me saying it?

ALLISON
(giddy; loving this joke;
playing along)
Remember you saying "what" Dear?

...and Joe laughs..

ALLISON
Your name again?

..and Joe laughs some more. Have they ever been this happy?

JOE
(change of subject)
So listen...what I *did* want to talk to
you about...I mean...these people
tonight...they're all scientists. At
least the guys are.
(MORE)

13 CONTINUED: (2)

13

JOE (cont'd)
So I mean, if somebody says...and you
know they're going to..."what do you
do"....?

ON ALLISON

...and she turns in her seat and JUST LOOKS AT HIM.

JOE
(re: her stare)
What?

*

ALLISON
Continue.

JOE
Well you obviously know the rest.

ALLISON
(not smiling)
Psychic with a bad memory. Can't
remember. Why don't you finish your
thought.

JOE
Okay. I'm just saying...if someone says,
"So Allison, what do you do for a
living?"...I'm curious...

ALLISON
(interrupting again)
But you know what I do for a living.

JOE
No. I mean, I'm curious how you're going
to put it.

ALLISON
(a bit of an edge.)
Well gosh dear...how would you like me to
"put it?"

JOE
Well I'm just saying...I mean...there are
lots of way of saying...

ALLISON
You worried I'm going to embarrass you?

JOE
No! God no.

ALLISON

Well then don't worry so much about how things are put. Everything will be put the way it needs to be put. And if you don't like the way things are put, you can just go "put" yourself.

...and with that she TURNS and LOOKS OUT THE WINDOW. And Joe sighs and keeps driving. And we...

SHOCK CUT TO:

14 ALLISON AND JOE

14

...making their way ACROSS A BEAUTIFUL RESTAURANT over to a table with SIX OTHERS. Both of them with PAINTED ON SMILES they found somewhere between the parking lot and here.

ALLISON
(calling; waving)
Hiiiiii. Alan, Brett. Jessica.

JOE
Hey Guys. Ladies.
(turning to her)
Jennifer.

*

ALLISON
(as if it never happened)
Jennifer.

...and we...

SHOCK CUT TO:

15 ALAN AND KAMALA

15

Mid-thirties. Attractive. They...but really Alan...are in mid story. The entire table is rapt. Hanging on every word.

ALAN
I mean this eleven year old boy hasn't spoken since he's six. Five years. And there's nothing physiologically wrong with him. It's a control thing. And obviously his parents are going out of their minds. Sent him everywhere.
(looking to Kamala)
Tell them.

KAMALA
(reluctantly)
Well...I developed this therapy.

ALAN

Very Annie Sullivan. Very Miracle Worker.
Tell them.

KAMALA

(a shrug)
It was very intense. Just he and I. In
this cabin. Four days. There's no food
unless he asks for it. No water. I've got
everything under lock and key.

DIANE

Wait a second. Unless he asks for it?
You're willing to starve this kid?

ALAN

No one starved. She's not going to let
anyone starve. Listen to this. It's
great. The people from the Dr. Phil show
called her. Tell them.

KAMALA

(a sigh; a shrug)
First day. It's like a stand off.

ALAN

Y'know what he's doing? He's waiting for
her to fall asleep. So he can get the
key. Get to the food.

KAMALA

(growing uncomfortable)
You're making too much out of it.

ALAN

I'm proud.

JOE

So wait a second. What happened? Did
anyone fall asleep?

ALAN

Of course not. I mean...*she's* not going
to fall asleep. She's staying up. She's
talking to him. Explaining. The jig is
up. You've met your match. Right? I know
you can talk. Your parents know you can
talk. Your teachers know you can talk.

ON ALLISON

...trading an uncomfortable look with Kamala...not quite sure what to make of it...

ALAN (CONT'D)

And no one's leaving here. No one's sleeping. And for damn sure no one's eating until you say something.

JOE

And how many hours did it take?

ALAN

I didn't hear from her for thirty seven hours.

JOE

(to Kamala)

You stayed up with him for thirty seven hours straight?

KAMALA

I don't know. I'm not sure. There actually may have been some brief periods of unconsciousness for both of us...

DIANE

And it worked? He spoke?

ALAN

Hell yes he spoke. And he hasn't stopped speaking since.

JOE

Wow. What did he say?

KAMALA

(uneasily)

Actually...his first words were ..."Jesus".

Alan smiles smugly.

ALAN

She's flying East to a Conference at Yale. Being honored by the Childhood Behavioral Council.

JOE

Wow. That must be...very gratifying.

15 CONTINUED: (3)

15

Kamala smiles uncomfortably. Allison just looks at her...and
SUDDENLY we....

SHOCK CUT TO:

16 TIGHT ON KAMALA

16

...HALF ASLEEP. Lying on a ratty couch in what looks to be a
RUSTIC CABIN OF SOME KIND. She rolls over slightly, feeling
SOMEONE STARING AT HER...

ON AN ELEVEN YEAR OLD BOY

...standing several feet from the sofa. A KEY on a string
dangles from around his neck. A half eaten SCOOTER PIE is in
his hand. There is a COMPLETELY SHOCKED look on his face..

WIDER ANGLE

...as Kamala looks down and realizes her blouse has fallen
open, exposing her breasts to the boy, who stands there with
the most AMAZING look of simultaneous SHOCK and AWE and
WONDER...

ELEVEN YEAR OLD BOY

(whispered; reverent)

Jesus...

...and SUDDENLY, realizing the jig really is up, he slaps his
hand over his mouth. And Kamala, realizing this is the
breakthrough she's been waiting for, smiles and pulls her
blouse back together...and we...

SHOCK CUT TO:

17 ALLISON

17

...with a smile of her own.

ALLISON

Congratulations.

KAMALA

(modestly)

Thank you.

(and then)

I'm still very uncomfortable with all the
fuss.

(and then)

And what do you do?

...and we can't help but notice Joe shoot a furtive glance over to Allison.

ALLISON
Me? I work part time in the District Attorney's office. Very boring.

...and we...

SHOCK CUT TO:

18 INT. THE CAR - NIGHT

18

...and once again Joe drives while Allison sits in the passenger seat beside him.

JOE
Now that wasn't so bad...was it?

Allison FAKE YAWNS.

JOE
What? You were bored?

ALLISON
I miss Andy. One little lap dance from law enforcement and the guy's considered a security risk. Seems so unfair.

JOE
You had a good time. I know you did.

ALLISON
Hey...I love a good story.

JOE
What are you talking about?

ALLISON
Annie Sullivan and the Jesus Boy. You seemed to like it.

JOE
What? You're saying she's lying?

ALLISON
No. *She* didn't tell the story. Her husband did.

He looks at her. A "what does that mean?" kind of look.

ALLISON

I'm just saying I don't think everything necessarily happened the way it was told to us.

Joe drinks that in for a second. And then...

JOE

You *suspect* this or you *know* this?

ALLISON

Are you asking me if I was there? I wasn't there.

JOE

So you'll concede the *possibility* that the story is true?

Allison says nothing.

JOE

Did I miss something? When did we make the leap from having *impressions* about things to being *certain* about things?

ALLISON

I'm just telling you what I think.

JOE

Well it *sounds like* you're telling me what you know. And frankly...it's scaring the crap out of me. I mean...is that what you're doing for the D.A. next week? Is that what you're selling? *Certainty*? And if it is, doesn't that bother you a little?

*

ALLISON

No. Why? Should it?

JOE

Okay, maybe I got this wrong...but somewhere between pulling my pants off and passing me the soap in the shower did you not tell me you were going to be helping the D.A. seat a jury that he hoped would send a man to the electric chair?

ALLISON

Lethal injection. We're very enlightened here in Arizona and we do lethal injection. Yeah. And by the way...that man killed six women. And then he raped them.

JOE

Says the D.A.

ALLISON

Says the evidence.

JOE

You're certain of this?

(and then)

I mean...a guy might die Allison. Doesn't that give you...I don't know...pause?

She just looks at him.

JOE

Okay. Forget that. What if he's guilty and you pick the wrong people? What if you're responsible for him walking?

ALLISON

I'm confused. Are you worried that I'll be good at what I do or not good enough?

JOE

I don't know. I guess I'm worried that you might do something crazy and human like...what do you know?...make a mistake!

ALLISON

That isn't going to happen.

JOE

Because...?

ALLISON

I know what I know.

JOE

But you don't! You didn't know the District Attorney was going to call you this morning. And you didn't know Ariel's school trip was going to be canceled at the last minute.

(and then)

(MORE)

18 CONTINUED: (3)

18

JOE (cont'd)

Hell...you don't even know that Brett is married to Jennifer not Jessica!

(his voice rising)

...but suddenly you know who's going to vote "yes" and who's going to vote "no" and who's lying and who's not lying and whether some little boy you've never met said "Jesus" or not!??

(a moment; and then; quietly)

Will you listen to yourself Allison?

ALLISON

(after a moment; quietly back)

That's what I'm trying to do.

...and we...

CUT TO

19 A WOMAN'S BARE BELLY

19

Sideways...virtually filling THE FRAME. Taut. Beautifully shaped. Laying on a chaise lounge. And just over the top of it we watch as IVAN KINETKO drags over a backyard chair, and sits in it---right next to the woman. And he stares at the woman's stomach...clearly admiring it, like a hungry man salivating over a steak. And he smiles and reaches out his hand...ultimately allowing the tips of his fingers to caress the perfectly formed abdominal muscles.

KINETKO

Very nice. Very impressive. I admire the discipline it takes to achieve this kind of physical perfection.

...and AFTER A MOMENT, he leans in and lowers his face to her midriff and gently kisses it.

KINETKO

(quietly, reverently)

You are a beautiful woman. You have a beautiful soul.

And then, he reaches out with a single finger and touches A BEAD OF SWEAT on her skin just above her bellybutton.

KINETKO

You're warm. Let me cool you off.

...and with that he pulls himself UP AND OUT OF HIS CHAIR. And it is only now that we realize we are in a BACKYARD SOMEWHERE IN ARIZONA.

WIDER SHOT

...to REVEAL the only thing the woman lying on the chaise is wearing is a brief but beautiful bikini---save for the CLEAR PLASTIC BAG covering her head and TAPED AROUND HER NECK.

KINETKO

(reaching for a garden hose)
Don't worry darling. Relief is only a moment away.

*

...and with that he TURNS ON THE HOSE and begins to SPRAY THE WOMAN'S BODY.

TIGHT ON THE PLASTIC BAG

...and THROUGH IT we can just make out her beautiful face and extraordinary mane of dark hair--the expression frozen for all time--eyes wide and filled with panic---mouth open in a desperate search for air. And we SEE IT just for a brief second before it is completely obscured by the cascade of WATER DROPS from the garden hose that pummel the bag, sounding like a hundred snare drum strikes, each one LOUDER than the last until they reach a THUNDEROUS CRESCENDO and we...

SHOCK CUT TO:

20 ALLISON

20

...sitting bolt upright in bed. And even through the darkness we can HEAR the SOUND of the RAIN on the ROOF and we watch as the shadows of running water on the windows play on the walls behind her and even on Allison herself as she sits in her dark bedroom and looks over and regards her sleeping husband for a moment...and then...with a small shake of her head, she slowly lowers herself back onto her pillow, and closes her eyes, and we...

CUT TO BLACK:

END OF ACT TWO

ACT THREE

FADE IN:

21 INT. DISTRICT ATTORNEY'S OFFICE - CONFERENCE ROOM - DAY 21 *

Huge. And spare. Three or four rows of haphazardly placed metal chairs face a LONG TABLE. There is no one in the room but a single body seated with her back to us.

ON ALLISON

...sitting in the giant room with her hands crossed in front of her, not quite knowing what to do with herself. She checks her watch, clearly having been there a while. And her eyes dart over to the...

FROSTED GLASS

...that surrounds the room. Bodies in the hallway outside cast ghost-like shadows that move across the glass like specters in shirts and ties and skirts and blouses. And SUDDENLY there is a RUSTLE in THE BACK OF THE ROOM and Allison TURNS in time to SEE...

DEVALOS

...coming THROUGH THE DOOR---thirty or so files under his arms.

DEVALOS

(making his way to the front of the room)

Sorry, sorry, sorry...

...and behind him, two CASUALLY DRESSED ASSISTANTS, each with thirty or so MORE files under their arms as well...

DEVALOS

(to the two assistants)

You can just set those on the table here...

...and he smiles at Allison and waits a moment for the two assistants to drop off their files and leave. And as soon as the CONFERENCE ROOM DOORS slam shut...

DEVALOS

So what's your thesis called?

ALLISON

Excuse me?

*

*

*

*

DEVALOS

(re: the two assistants)
Everybody here thinks you're the intern
who came back to write a thesis on Jury
Selection in Capital Trials.

*

ALLISON

Well then it's probably called "Jury
Selection in Capital Trials."

DEVALOS

(seating himself on the table)
Catchy.
(and then; indicating the
files)
A hundred and forty four prospective
jurors. These are their questionnaires.

ALLISON

(disappointed)
I don't get to meet them?

DEVALOS

(surprised; but then recovering
quickly)
Why don't we wait and see how you do with
the questionnaires first.
(and then; picking one up)
We can usually identify the obvious
"deadheads" off of these.

ALLISON

"Deadheads"?

DEVALOS

People we absolutely won't accept. In
this case people that are never going to
vote for capital punishment.

He opens one of the folders and shows it to Allison. The
pages of the questionnaire are stapled to one side of it. On
the other is a red "post-it".

*

*

DEVALOS

If it has a red post-it on it, it means
the jury consultant thinks the person is
a definite "no".

(reaching for another one;
opening it)

If there's a green post-it on it means
she thinks the person is a definite
"yes".

*

(MORE)

DEVALOS (cont'd)

If there's no post-it at all it means she has no opinion yet and it's something we'll figure out when we get to court.

ALLISON

What happens in court?

DEVALOS

We get six strikes and so does the other side.

*

ALLISON

Strikes?

DEVALOS

A free pass. These are people you get to say "no" to without having to explain yourself.

ALLISON

The deadheads.

DEVALOS

Well...no. That's where it gets tricky. The judge will probably throw out most of the "deadheads" without prompting. What you want to save your strikes for are the people you think the other side is desperate to have that the judge might not kick out.

ALLISON

Aha.

DEVALOS

At the same time, the other side is going to use their six strikes to eliminate the people they think you really want to have.

*

(he holds up a red and a green "post-it" pad)

I brought you these. They're half the size of the others so we can tell yours from hers.

(and then)

So what do you think?

ALLISON

About what?

Devalos looks at the pile.

ALLISON

It's a bunch of paper.

DEVALOS

(suddenly deflated)

Oh.

(and then)

So you mean...you can't just look at them...touch them?...just "feel" something?

*

ALLISON

Well I don't know. I've never tried it.

DEVALOS

So getting impressions off of inanimate objects...that's not something...

ALLISON

(losing patience; cutting him off)

I don't know.

(and then; by way of explanation)

You have to understand...these aren't feelings I've ever gone out of my way to have. Used to be...I'd walk into a place or meet a person and I'd get that feeling?...and all I'd want is a drink.

(and then)

This is all new.

(and then)

I guess I was sort of counting on meeting the people.

DEVALOS

(pushing himself off the table)

Well...I don't know what to tell you.

This is how we start. And in any event...your involvement in this process has got to be...

ALLISON

(cutting him off)

Secret. I heard that.

DEVALOS

(standing over her now)

Allison...if this isn't something you're interested in doing...

ALLISON

No, no. I'm interested. I want to do it.
I just...if I tell you something...I want
to be certain...

DEVALOS

(starting out of the room)
Don't worry about that. I'm up to my
eyeballs in people that are "certain". It
would just be nice to meet someone who's
"right" for a change.

(just before he's through the
door)

I'll be in my office when you're done.

ON ALLISON

...HEARING the DOOR CLOSE behind her. And she looks at the
small mountain of files. And after a moment pulls herself up
and out of her seat and makes her way over to them. And
without all that much enthusiasm, picks one up and opens it,
turns herself around and leans against the table as she
reads...

THE FORM

...filled out in pen. And as Allison and we SEE IT, Allison
HEARS IT...

MAN'S VOICE (OVER)

Jonathan McCall. Born January 20, 1968...

..and her eye and THE CAMERA race down towards the bottom of
the page where it lists "EDUCATION" to SEE highlighted in
YELLOW...

MAN'S VOICE (OVER)

1989 to 1992 Divinity Studies at the
School of Theology at Catholic
University...

...and we watch as the CAMERA and HER EYES MOVE to the
opposite side of the file folder where a RED POST-IT is
stuck. And we...

SHOCK CUT TO:

22 ANOTHER FOLDER

22

...and in a different handwriting we SEE...

22 CONTINUED:

22

WOMAN'S VOICE (OVER)
Naomi Perreault. Born April 17, 1959. *

...and the CAMERA races down to...

WOMAN'S VOICE (OVER)
Question: Have you ever lost a friend or
loved one to a violent crime? Answer:
Yes. A coworker of mine was killed for
his car one night after coming out of a
laundromat. It was especially sad because
he had won the car just a month earlier
in a sales promotion they ran here at the
company...

...and as the voice trails off, the CAMERA and her eyes move
to the opposite flap of the file folder where a GREEN POST-IT
is stuck. And we...

SHOCK CUT TO:

23 ANOTHER FOLDER

23

...and Allison looks at it, her eyes immediately moving to
the OPPOSITE FLAP which has a RED POST IT.

ON ALLISON

...taking that in and then...SUDDENLY SEEING...

24 A HOSPITAL ROOM

24

Simple. Spare. An EMACIATED BLACK WOMAN lies in a bed hooked
up to LIFE SUPPORT staring straight ahead at nothing. Sitting
beside her in a straight back chair is a black woman in her
early thirties...MAXINE HARRIS. Maxine looks up and speaks
straight to Allison. STRAIGHT TO THE CAMERA.

MAXINE HARRIS

Maxine Harris. Born November 3, 1970.
Baptist. Single. I've supervised data
entry for the Bocktel Company since 1998. *

I own my own home. I read one newspaper
and try to watch one newscast every day.
If I have time. I spend a lot of time
with my Mother here. She's been in the
hospital since 2002 when she suffered a
massive stroke.
(she hesitates; and then)
I believe in the sanctity of life. I
believe that things happen for a reason.

24 CONTINUED:

24

And finished, she stops and sits there. PERFECTLY COMPOSED. And then it happens. She steals A GLANCE to HER MOTHER. And slowly, but surely the TEARS start to come. And SUDDENLY her body starts to HEAVE as she becomes overwhelmed with grief and CONVULSED WITH TEARS. And suddenly she RISES from her chair and moves to the banks of life support equipment that surround her MOTHER. SHUTTING THEM OFF. PULLING the machines off their racks. UNPLUGGING anything and everything. And ALARMS start to SOUND as EQUIPMENT FALLS to the floor and is SMASHED.

ON MAXINE'S MOTHER

...lying there, mute and unmoving as SUDDENLY the BELLOWS that are forcing air into her lungs STOP MOVING. The SOUND of EQUIPMENT being SMASHED all around her eliciting no response at all. And SUDDENLY we...

SHOCK CUT TO:

THE HOSPITAL ROOM

...all the equipment is ONCE AGAIN INTACT as if nothing had happened. And Maxine sits as before, demurely beside her motionless Mother...nothing but the SOUND OF MACHINES FORCING AIR into and out of her lungs.

SHOCK CUT TO:

25 ALLISON

25

...LOOKING UP from the folder. Reaching over and placing one of her smaller GREEN POST-ITS besides the large RED ONE that is already there. And we...

*
*
*

SHOCK CUT TO:

26 INT. DUBOIS HOUSE - NIGHT

26

...as Joe QUIETLY makes his way out of the GIRL'S ROOM and into THE HALLWAY...

27 INT. THE FAMILY ROOM - NIGHT

27

...as Joe falls into a chair and PICKS UP THE PHONE and quickly dials a number...

28 INT. DISTRICT ATTORNEY'S OFFICE - CONFERENCE ROOM - NIGHT 28 *

...the pile of folders on the table has virtually disappeared and been replaced by a number of different piles on the floor. ALLISON is riveted to a folder when her CELL PHONE RINGS. And it takes two or three rings to BREAK THE REVERIE. And finally she reaches for it and we INTERCUT between here and JOE IN THE FAMILY ROOM...

ALLISON
(into the phone)
Hey...

JOE
So how's the job?

ALLISON
It's great. Instead of sitting home all day and talking to no one I get to sit in a big anonymous room and talk to no one. It's all I could have hoped for.

JOE
(gently)
Do you know it's twenty after nine?

She looks at HER WATCH and GASPS.

ALLISON
Oh Joe! I'm sorry. I'm sorry. I'm soooo sorry.

JOE
Don't worry about it.

ALLISON
Psychic with a bad sense of time.

JOE
Mmmmm. Do you remember where you live?

ALLISON
(hand to her brow)
I'm seeing a house...I'm seeing a guy in his underwear...I'm seeing lots of dishes in the sink...

JOE
It's amazing how you do that. I'll wait up.

...and she SMILES and closes the phone.

29 INT. DISTRICT ATTORNEY'S OFFICE - NIGHT 29

...as Allison makes her way THROUGH the doors of the CONFERENCE ROOM and out into the COMPLEX OF DESKS AND OFFICES that make up the OFFICE OF THE DISTRICT ATTORNEY, a collection of twenty or so folders under her arm. And she is surprised to discover that the entire BULLPEN AREA of the DA's office is DARK, save for the light that spills out through the glass window that separates District Attorney Devalos's office from the bullpen area. And there he is, plainly visible, hunched over his desk, lost in work.

30 INT. DEVALOS'S OFFICE - NIGHT 30

...and there is a KNOCK on the door...and Devalos LOOKS UP to DISCOVER Allison STANDING IN HIS DOORWAY.

DEVALOS

You understand that I'm not paying you by the hour...right?

Allison smiles.

DEVALOS

I stuck my head in there two or three times but you seemed to be in your own world so I just...

ALLISON

It's okay. You want the good news or the bad news?

DEVALOS

Gimmee it all. I'm a big boy. I can take it.

ALLISON

I got through almost all of them. And I got things off a lot of them. And I don't agree with most of what your jury consultant told you.

DEVALOS

What do you mean?

ALLISON

(pulling out a folder)
Well like this woman here. Maxine Harris.
(she moves to his desk; showing him the questionnaire)
Yes she's religious. But that's not all she is.

(MORE)

*

30 CONTINUED:

30

ALLISON (cont'd)

She's got a mother that's been kept alive in the hospital for two years despite the fact that she can't see, can't hear, can't eat and can't even breathe on her own. You know what she prays for? An earthquake to knock down the Hospital. A fire to take out her mother's wing. All she wants to do is put this old woman out of her misery, but the state won't let her. Maxine Harris can be reached. She'll understand your frustration. She'll understand the victim's family's need for closure. And I believe the defense is going to read it the way your expert did and advocate for her. So by looking like you loose one, you win one.

*

ON DEVALOS

...looking up at her...clearly surprised by her passion...and her certainty.

ALLISON

(not understanding his look)
You want me to keep going?

Devalos NODS.

ALLISON

(pulling out another folder)
This one here?...he's a fireman, right?
So your expert has him as a definite "yes". She's thinking "law and order guy"--
-- of course he'll vote for the needle.
But his best friend's brother is on death row in Nevada.

DEVALOS

(reaching for the file)
Wait a second. Is that on the questionnaire?

She just looks at him. A look that says "of course it's not on the questionnaire."

DEVALOS

Sorry...

ALLISON

(pulling out another file)
Neither is the fact that this school teacher she has as a definite "no" was raped twenty years ago when she was in college and the guy who raped her hired a great attorney and got off and went on to rape three other girls, finally got caught and was put away BUT is up for parole later this year and will probably get it.

(locking eyes with him)
I mean...if I'm you...I want that lady in my lifeboat.

Devalos just looks at her for a long moment.

DEVALOS

What are you doing tomorrow?

ALLISON

I don't know. Why?

DEVALOS

How'd you like to go to court with me?
Meet some of these people?

...and we...

SHOCK CUT TO:

31 A PILLOW

31

...as Allison's head hits it. And she looks up at her BEDROOM CEILING and SMILES.

ANOTHER ANGLE

...as Joe ROLLS OVER in the dark and looks at her.

JOE

Stop smiling like that. The moonlight is bouncing off your teeth and keeping me awake.

ALLISON

Tough. I was pretty great today. It was pretty great being me today.

JOE

Mmmmmmm. Whatever happened to the old Allison? The depressed Allison? I miss her.

ALLISON

She's going to be in Court tomorrow. If I see her, I'll ask her.

JOE

(a long whistle; impressed)
Court? Really?
(and then)
Parking ticket?

ALLISON

(playfully)
You hate being wrong...don't you?

JOE

(trying to be playful back)
Am I wrong? Are you sure? Are you certain? Or is it just something you suspect?

...and she looks at him for a LONG MOMENT...and makes a decision to let it go.

ALLISON

(rolling over; away from him)
Say Good-night Gracie.

...and Joe ponders that for a moment, then reaches over and KISSES the back of her neck.

JOE

Good-night Gracie.

...and we...

SHOCK CUT TO:

32 A GAVEL

32

...being banged by JUDGE #2 who looks across the COURTROOM at DEFENSE ATTORNEY #2...

JUDGE #2

Do you wish to enter a challenge to the seating of potential juror number 12?...
(reading from a card)
...Maxine Harris?

*

...and we PAN to the witness box where Ms. Harris sits politely having just been questioned by both sides...

*

DEFENSE ATTORNEY #2
(with a certain degree of
relish)
We certainly do not, Your Honor.

...and we PAN BACK to the JUDGE who turns his gaze to the PROSECUTION TABLE, where DEVALOS and the WOMAN IN HER EARLY FORTIES and behind them, ALLISON, all sit.

JUDGE #2
And according to my records, the Prosecution has exhausted all of its challenges. Do you concur District Attorney Devalos?

DEVALOS
(trying his best to feign
disappointment)
I'm afraid so, Your Honor.

...and it's hard to miss the absolutely FLABBERGASTED expression on the face of the Woman In Her Early Forties, or for that matter the way Allison does her best to keep her HEAD DOWN and avoid acknowledging the slender smile on Devalos's face.

JUDGE #2
Very well then. We have a jury.
(banging his gavel one more
time)
Court will recess for ten minutes. At that time the Sheriff's Deputies will escort in the Defendant so the Court can begin to hear pre-trial motions.
(a nod to both lawyers as he
RISES)
Gentlemen...

...and we...

SHOCK CUT TO:

...where the Woman In Her Early Forties is savagely PUFFING ON A CIGARETTE behind a PILLAR even as she does her best to have a PRIVATE CONVERSATION with Devalos who stands beside her trying his best not to inhale her smoke...

WOMAN IN HER EARLY FORTIES
Mr. District Attorney...Sir...I cannot
accept responsibility for an outcome when
I am not given the opportunity to
participate in the events leading up to
that outcome. Certainly you can
understand that.

DEVALOS
Actually, I find it all rather confusing.
(he shrugs)
To be honest...I don't recall you
accepting any responsibility when you did
participate.

...and she just looks at him for a LONG MOMENT...a thousand
thoughts flying through her head...but finally deciding to
say nothing. Instead simply taking her cigarette, dropping it
on the ground and grinding it out with her shoe---all the
time locking eyes with Devalos---before turning away
wordlessly and starting down the courthouse steps.

DEVALOS
(re the cigarette butt)
That's against the law y'know...

...and getting no response, he smiles to himself...and turns
to DISCOVER ALLISON standing right beside him...having
secreted herself behind an adjacent pillar.

ALLISON
I don't want to make trouble.

DEVALOS
(lowering his voice; making
certain he's not heard)
Is that what you're doing? That's not how
I see it. Allison...you were right about
every single person we cross examined
today.

ALLISON
(embarrassed)
Well...

DEVALOS
I have to tell you...I'm starting to
believe if I don't screw this up, we
might actually have a real shot at
getting rid of this Monster.

33 CONTINUED: (2)

33

...and Allison lowers her head and actually blushes. And
we...

*
*

CUT TO BLACK:

*
*

END OF ACT THREE

ACT FOUR

FADE IN:

33A A FADED TRAVELOGUE

33A

...a BLEACHED STOCK SHOT of the LEANING TOWER of PISA...

ANNOUNCER'S VOICE (O.C.)
This is Italy!

...followed by a STOCK SHOT of the SISTINE CHAPEL...

ANNOUNCER'S VOICE (O.C.)
Where art...

...followed by a STOCK SHOT of Roman Cafes circa 1960...

ANNOUNCER'S VOICE
...and the art of hospitality, go hand in
hand!

...followed by a STOCK SHOT of the STATUE OF DAVID...

ANNOUNCER'S VOICE
But no trip to Italy would be complete...

...followed by a STOCK SHOT of the VENICE CANALS. GONDOLAS
float down the water, piloted by GONDOLA OARSMEN wearing the
classic black and white-striped shirt and red beret hat.

ANNOUNCER'S VOICE
...without a Gondola ride through the
Venice canals!

CLOSE UP (GREEN SCREEN)

...on a GONDOLA OARSMEN, piloting his boat. And he lifts his
head and smiles for the CAMERA...and it takes a second for us
to realize, we've seen this face before. It's IVAN KINETKO!

*

*

KINETKO
(right to the lens)
It's really very nice here, Allison. The
women are beautiful. The climate...
(he shrugs with delight)
I'm sorry we didn't get to meet in
America, but the second I heard there was
a hung jury and I saw the chance to
escape...

(leaning forward; more
intimate)

(MORE)

33A CONTINUED:

33A

KINETKO (cont'd)

You were wrong about that Maxine Harris. *

(a big smile)

No way she was going to give me the
needle.

(and then)

Better luck next time.

ALLISON'S VOICE (O.C.)

Nnnnn....

...and we...

SHOCK CUT TO:

33B ALLISON

33B

...her eyes opening with a start.

ALLISON

...ooooo!

...and she catches herself. Looks around. Nothing but SILENCE
and DARKNESS. And she realizes that once again she's in bed
in HER BEDROOM. And after a moment a HALF ASLEEP Joe rolls
over.

JOE

You okay, Babe?

ALLISON

Mmmm.

No big deal. Joe rolls back over and goes back to sleep.

ALLISON

(after a moment)

It's still Thursday...right? There's no
verdict yet...right? The jury's still
out...right?

JOE

Allison...it's the middle of the night.

ALLISON

(rolling over herself)

That's not necessary. It was just a
question.

JOE

(covering his head with his
pillow)

I love you too...

...and we...

SHOCK CUT TO:

33C A TELEVISION SCREEN

33C

...tuned once again to the GAME SHOW NETWORK. PAUL ANKA considers his clue and we quickly realize we are in ALLISON'S FAMILY ROOM watching "PASSWORD" once more, the word "GAIN" supered across the center of the set...

PAUL ANKA
"Advance."

*

ALLISON (O.C.)
"Gain."

*

CONTESTANT #3
"Forward?"

ALLAN LUDEN
"Advance." "Forward." Nine points, Betty.

*

ALLISON (O.C.)
"Gain, gain, gain, gain."

BETTY WHITE
"Loss?"

CONTESTANT #4
"Found".

And once again we PULL BACK TO REVEAL that Allison is sitting with HER BACK TO THE TELEVISION, holding her sleeping two year old in her arms.

ALLISON
"Gain".
(to herself)
The answer's "gain".

...and at just that moment...

THE PHONE RINGS

...and with one hand Allison hits MUTE on the TV remote while with the other she GRABS THE PHONE...

ALLISON
Hello?

...and we INTERCUT WITH...

33D EXT. COURTHOUSE - DAY

33D

...where a jubilant Devalos stands, cell phone pressed to cheek, TALKING LOUDLY, trying to be heard over THE CROWD of reporters filing stories as civilians mill around trying to figure out what all the excitement is about and courthouse workers try to keep order.

DEVALOS

(a hand over one ear)

Allison! It was unanimous! Death by lethal injection!

*

ALLISON

You're kidding. The death penalty?

(a hand over her mouth; truly speechless)

Oh my God...

(and then; half to herself)

He's not going to Italy?

*
*
*
*
*
*

DEVALOS

(not understanding at all)

Italy? What are you talking about?

ALLISON

(realizing what she just said)

Nothing. Nothing at all. That's wonderful. I mean...it's horrible...but...it's wonderful.

DEVALOS

(filled with feeling)

Allison...congratulations. I know we wouldn't be here if it weren't for you.

*

ON ALLISON

...not knowing what to say to that. So saying nothing. Just beaming. And we...

SHOCK CUT TO:

33E EXT. DUBOIS HOUSE - DUSK

33E

...as once again Joe steps INTO FRAME, pulling his keys from his pocket and stabbing the FRONT DOOR with them. And no sooner is he THROUGH THE DOOR than...

33F INT. THE ENTRYWAY

33F

...Allison is ON TOP OF HIM...

ALLISON
(jubilant)
I'm King of the World!

JOE
Anatomically speaking...I don't think
that's possible.

ALLISON
Don't care! I'm King of the World!

JOE
I'm starting to feel a lot like my old
friend Andy.

...and they disappear behind the FRONT DOOR OF THE HOUSE
which closes RIGHT INTO CAMERA. And we...

SHOCK CUT TO:

33G JOE

33G

...sitting on the sofa in the FAMILY ROOM, in boxers and a t-
shirt, bathed in the blue light of THE TELEVISION...

JOE
(calling off)
*Allison! C'mon! The news is about to
start!*

ANOTHER ANGLE

...as Allison comes around the bend in t-shirt and boxers as
well, staring at Joe...a finger over her lips...

ALLISON
(a loud whisper)
You wake them, you put them back to bed.

JOE
(patting the seat next to him)
C'mon King...this is exciting.

ON THE TELEVISION

...a LOCAL NEWS REPORTER is standing in front of the
COURTHOUSE BUILDING...

NEWSWOMAN
*That's right, Bill. History of a sort was
made here today. Remarkably, this jury
took less than two and a half hours to
return a sentence of death by lethal
injection in the case of Ivan Kinetko a
serial murderer and rapist.*

33G CONTINUED:

33G

Joe starts to APPLAUD...

ALLISON

Shhhhhhh....

NEWSWOMAN (CONT'D)

And while District Attorney Manuel Devalos seemed particularly gratified by the swift and certain verdict the jury gave him...

...and the image on TELEVISION cuts to...

THE PRISONER

...in ORANGE JUMP SUIT AND CHAINS...being escorted out of a PRISON VAN by a coterie of ARMED MARSHALS.

NEWSWOMAN (CONT'D)

...the accused and his defense team seemed stunned by both the speed and certainty of this verdict.

And it is only when he LIFTS HIS HEAD and the NEWS CAMERA ZOOMS IN FOR A CLOSE-UP as he starts up the Court House steps that Allison realizes...

ALLISON

Wait a second. That's not him.

JOE

What are you talking about?

...and Allison pushes herself off the couch and goes to the TELEVISION...squatting in front of it...staring at it...her face inches from the screen.

ALLISON

(quietly to herself)
Oh my God. Something's wrong.
(and then; pointing to the image on the television)
That's not the man in my dreams.

JOE

(guarded; not sure what to make of that)

Okay.

(and then; confused)
Does that really matter?

ALLISON

It matters to me! I mean...he's not the
man I saw commit the crimes.

*
*
*

...and she gets up from her crouch and starts towards THE
BEDROOM...

*
*

JOE

Hey? Where are you going?

*
*

...but there is NO ANSWER...and we...

*

CUT TO:

*

34

34 DEVALOS

...sitting on the edge of his bed...a sleeping woman behind
him, talking softly into his cell phone...

*
*
*
*

ALLISON (O.C.)

(filtered; through the phone)
But Sir...I'm not sure he's even guilty.

*
*
*

DEVALOS

That's alright Allison. I am.

...and we INTERCUT with...

*

34A

34A ALLISON'S BEDROOM

...where she sits on the edge of her bed...phone pressed to
her cheek.

*
*
*

ALLISON

But...

DEVALOS

There are no buts. There can't be. I've
got a lab full of DNA that proves he's
our man. Besides...he confessed. In any
event---this was not the trial to
determine guilt or innocence. We had that
trial three months ago. *This* trial was
about sentencing. So go to bed. And sleep
well. You've done a great thing here.

*
*
*
*

ALLISON

But now I'm not so sure.

DEVALOS

Allison...so it doesn't look like the
face in your dreams. So what?

(MORE)

34A CONTINUED:

DEVALOS (cont'd)

Who knows where you got that face from?
And what difference does it make?

(he shrugs)

Maybe your dreams are wrong. Frankly, I
don't care. I believe your instincts
about people are right. And
today...that's what mattered.

*
*
*

ALLISON

But I can't be wrong.

DEVALOS

Sure you can. You're a human being. The
ability to be wrong is one of the
membership requirements. The willingness
to admit it?...that gets you extra
points.

(and then)

Goodnight, Allison. Call me at the office
tomorrow.

*
*

...and with that he HANGS UP. And Allison sits
there...frozen...mute...not sure what to make of this...and
we...

*
*
*

DISSOLVE TO:

*

34B

34B JOE

...seen from ABOVE, lying in BED, fast asleep. And SUDDENLY
it is he who WAKES UP WITH A START. And he looks around a
moment and realizes Allison is not there. And we...

*
*
*
*

CUT TO:

*

35

35 DUBOIS HOUSE - FAMILY ROOM

DARK. The only real light coming from the television. Joe
walks into the room still rubbing the sleep from his eyes to
discover Allison, sitting on the sofa, nursing a beer. Two
empties are on the seat beside her.

*
*
*
*
*

JOE

When I realized you weren't going to wake
up from a sound sleep complaining about a
nightmare I got scared and woke myself
up.

*
*
*
*

ALLISON

Not funny. Shut that off, willya?

He leans over and pushes the "power" button on the tv. The room grows darker.

JOE

This is my fault, right? I asked for the old depressed Allison back and...

ALLISON

Still not funny.
(indicating the other chair)
Sit.

He considers that for a moment and then sits.

ALLISON

Okay Science Guy. How dead-on is this DNA stuff?

JOE

Dead, dead-on. Better than a fingerprint. Virtually perfect.

ALLISON

So I guess I must have really been wrong.

JOE

Well okay. But only about the part that matters least.

ALLISON

How can you say that?

JOE

I move my lips, I push out air. There's nothing to it.

(off her look)

Allison...who cares what he looked like in your dream?

ALLISON

I care! I mean...if I'm wrong about that it means I can be wrong about other things!

JOE

Hallelujah!

ALLISON

That's not funny.

*

*

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*

JOE

I don't find it funny. I find it comforting.

*
*
*

ALLISON

Well I find it depressing. And confusing. And...

*
*
*
*

(changing tacts)

I feel like that chemist who set out to prevent heart attacks and accidentally discovered Viagra.

JOE

(a joke)

That man is a *fine* chemist, by the way. A very fine chemist. He has nothing to be depressed about.

*
*

ALLISON

Shut up.

JOE

(stealing her beer; taking a swig)

What difference does it make? As long as we're certain the real killer is going to meet his maker? As long as the little boy finally talks?...As long as horny old men can bed sweet, young girls half their age...I ask you...what's the difference? And by the way...how old are you?

*
*
*
*

ALLISON

About half your age. Just don't put on any more lights.

No one says anything for a moment. He hands her back her beer. She takes a swig.

JOE

So guess who wants to have dinner tomorrow night?

ALLISON

This is a whole new nightmare. I can feel it coming.

JOE

That's right. Your favorite friends at your favorite place. C'mon. It'll be fun.

(MORE)

JOE (cont'd)
We'll listen to everybody's stories and
you can tell me what really happened
afterwards.

And without a word she pulls herself up from her chair and
starts out of the room.

JOE
Where you going?

ALLISON
(calling back)
Check that your father isn't in our bed.
I'm tired.

...and on Joe's look of discomfort...we...

SHOCK CUT TO:

35A INT. THE CAR - NIGHT

35A

Joe drives. Allison sits in the passenger seat, her head
clearly somewhere else...lost in thought...

JOE
This thing we're doing? Going out?
Eating? Drinking? It's supposed to be
fun. It's supposed to take your mind off
your problems.

ALLISON
(ignoring that)
Y'know what the D.A. said yesterday? He
implied that maybe I got the killer's
face from somewhere and then just like
Photo-shopped him in my dream. That I've
met this person...or seen him before.

JOE
That's entirely possible. That makes a
lot of sense.

ALLISON
But from where? I can't remember meeting
him anywhere. And it's not like I meet
that many people.

JOE
Stop me if I've said this before...but
what difference does it make?

She turns and looks at him.

*
*

35A CONTINUED:

35A

ALLISON

I can't explain it. But it makes a
difference to me.

..and we...

CUT TO:

36 A BOTTLE OF WINE

36

...as it is being poured at a table for eight at the SAME
RESTAURANT with the same people we saw earlier. And as the
STEWARD approaches Allison, SHE WAVES HIM OFF...

ALLISON

No thank you. I'm the designated driver
tonight.

(turning to Kamala)

So wait a second...last time I saw you,
you were heading East. How'd your
conference go?

KAMALA

Y'know what? I didn't go. I just...I felt
funny. I mean I couldn't help but
wonder...how much of what happened was
therapy. How much was luck...y'know?

ALAN

(interjecting)

It wasn't luck.

KAMALA

I'm not saying it was all luck. I'm just
saying...one time does not a proven
protocol make.

(turning back to Allison)

I want to work on it some
more. I mean...there's no accounting for
happy accidents.

ALLISON

(that strikes a nerve)

I know what you mean.

Joe raises his glass.

JOE

Here's to happy accidents.

Allison grabs her water glass and joins in the toast.

KAMALA

And now I'm remembering...you do something with the government.

JOE

(jumping in)
She works with the local District Attorney's office.
(and then)
District Attorney Manuel Devalos.
(and then)
The Ivan Kinetko trial? *

ALLISON

(as much for Joe's benefit as Kamala's)
We're not really supposed to discuss...

JOE

(cutting her off)
I'm proud! I'm proud, Baby.

KAMALA

Oh wow. Were you involved with that trial? That necrophilic, rapist guy?

JOE

(jumping in again)
She was very involved. We're not allowed to discuss the nature of her involvement, but...

KAMALA

(raising her glass in a toast)
Well kudos to you.

DIANE

Yes! Kudos to you!

ALLISON

That's okay. I don't need any kudos. Believe me...there was more than a little luck involved there. And lots of other people.

JOE

Not luck. Instinct. Talent.
(savoring the word)
Certainty.

ALLISON
(to Joe) *

No. You're wrong *

(to Kamala)

I'm sure you can relate to this. *

(MORE)

36 CONTINUED: (3)

36

ALLISON (cont'd)

You do ninety little things right and one big thing wrong but somehow...

KAMALA

...everything works out in the end anyway...

ALLISON

...and you're not sure you know why.

KAMALA

I'll definitely drink to that!

...and as she raises her glass, a FIGURE steps INTO THE FRAME WITH HIS BACK TO EVERYONE.

WAITER (O.C.)

So are we ready to order?

ALLISON

Oh my God. I haven't even looked yet.
(and then; to Kamala)
Been here three times in the last three weeks...you'd think I'd have the damn thing memorized.

ON ALLISON

...as she grabs her menu...and looks at it...and GASPS...

ALLISON'S P.O.V.

...and there, on the cover of the menu, a PAINTING OF A MAN PILOTING A GONDOLA. A man with the face of Ivan Kinetko. The Ivan Kinetko from her dreams.

*
*

ALLISON

(to herself)

Jesus...

ANOTHER ANGLE

...and Joe can't help but notice the odd look on her face.

JOE

Everything okay, Babe?

ALLISON

No.

(and then)

Yes.

(MORE)

ALLISON (cont'd)
You do ninety little things right and one
big thing wrong but somehow...

KAMALA
...everything works out in the end
anyway...

ALLISON
...and you're not sure you know why.

KAMALA
I'll definitely drink to that!

...and as she raises her glass, a FIGURE steps INTO THE FRAME
WITH HIS BACK TO EVERYONE.

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...as she grabs her menu...and looks at it...and GASPS...

ALLISON'S P.O.V.

...and there, on the cover of the menu, a PAINTING OF A MAN
PILOTING A GONDOLA. A man with the face of Ivan Tedesco. The
Ivan Tedesco from her dreams.

ALLISON
(to herself)
Jesus...

ANOTHER ANGLE

...and Joe can't help but notice the odd look on her face.

JOE
Everything okay, Babe?

ALLISON
No.
(and then)
Yes.

(MORE)

*

*

*

36 CONTINUED: (4)

36

ALLISON (cont'd)
(and then)
Actually...it's great.
(and then; under her breath)
Psychic with a bad memory.

*
*
*
*

...and she starts to LAUGH TO HERSELF...and JOE shrugs, not really understanding, but just relieved that she's happy again. And we BEGIN TO PULL BACK SLOWLY...as everyone continues to eat and chat and enjoy their evening. And we...

FADE OUT.

END OF ACT FOUR