

The Avocado As A Big Green Nut?
A One Act Theatre of the Absurd Play
by Squeeky Fromm

Mimus Personnae:

Andrew Merry, the Prosecutor
Mae Tate, the Defense Lawyer
Mark Easy, the Judge
Welliam Peccant, the Defendant
Anna Peccant, the Defendant's Mother
The Girl Reporter, the victim
The Jury???

Mimus Locus and Mimus Facta:

A Courtroom in Anytown, USA. It is the first day of trial. The Defendant is accused in the attempted murder of a beautiful Girl Reporter who was investigating his nefarious narco gang activities. Peccant attacked her with a machete, and the quick-thinking Reporter pulled her gun and shot him once in the abdomen, and one in each buttock as he ran away. The incident was captured on a security camera with a full view of the Defendant's face. The machete was dropped at the scene, and the Defendant's DNA and fingerprints were found on the weapon. Slugs matching the Reporter's gun were pulled from the Defendant at a local Trauma Center. Blood splatters at the crime scene match the Defendant's DNA.

The Defendant claims he was shot by an unknown assailant while praying in his back yard many miles away. His mother supports his claim.

It is an open and shut case. Right?

Act I, Scene I, Male Fundatos

Judge Easy: Everyone please be seated. Mr. Prosecutor, you may begin.

Prosecutor: I would like to address my opening remarks to the Defense Attorney, and the Defendant's mother. I understand the Defendant will not be testifying today. There is a tremendous amount of evidence that the . . .

Judge: Wait a minute, you can't address your remarks to the defense attorney and the witness. You are supposed to address your remarks to the jury. Is this your first trial???

Prosecutor: But Your Honor, I have decided to try out a new trial strategy! If I address my remarks to the jury, then I have to convince 12 people that the Defendant is guilty, whereas if I limit my remarks to the Defendant's attorney, and his mother, then I only have to convince 2 people! And no, this is not my first trial. I think it would be a better use of judicial time. . .

Judge: We need to discuss this. Bailiffs, will you please escort the Jury to the holding area. Thank you. Now, would the attorneys approach.

The Attorneys approach the bar.

Judge: Now, Mr. Merry, what is it you are asking the Court to do? Accept that you are going to try to sway Defense Counsel and the Defendant's mother that he is guilty??? I think that is going to be a very difficult thing to do.

Prosecutor: Yes, Your Honor. I want you to dismiss the Jury, and let me proceed to trial with only Ms. Tate, and Anna Peccant, the victim's mother. If I can convince them that the Defendant is guilty, then there is no defense to the testimony that will be offered by the Girl Reporter. We will have met the burden of finding the Defendant guilty beyond any reasonable doubt.

And remember, Your Honor, that Anna Peccant will be under oath and required to answer truthfully, or she could be charged with perjury. Ms. Tate, the Defense Attorney, has a duty to be truthful in court, and tell no lies. Further, she is under a duty of candor toward the Tribunal.

The only irregularity is that the Court will have to allow me some leeway on the questions, and require Ms. Tate to testify.

Judge: Ms. Tate, what do you have to say to this?

Defense Attorney: I am all for it your Honor! And my client agrees. (The Defendant is seen with a big smile on his face.)

Judge: Mr. Merry, have you discussed this with the poor, innocent victim, The Girl Reporter?

Prosecutor: Yes, I have. She agrees as long as she has exclusive rights to the story

Judge: Girl Reporter, do you agree to this? Do you understand that Mr. Peccant might well go free?

Girl Reporter: Yes. But I am not afraid of him. The way he was hollering, "No mas! No mas!" after I shot him in the ass, I won't have to worry about him no more. Plus, this story ought to be a hoot! I bet I win a Pulitzer!

Judge. Okay then. Bailiffs, dismiss the Jury, and thank them for their service. Mr. Prosecutor, you may proceed..

Act I, Scene II, Mimus Ipsa Loquitur

(The Girl Reporter has already testified, truthfully and very intelligently, of course. The Defense Attorney was unable to make a dent in her testimony. Now, Anna Peccant is called to the stand, and sworn in.)

Prosecutor: You have previously stated that your son was in your backyard when he was shot, correct?

Anna Peccant: Yes, he was in my backyard praying, when some horrible person or persons unknown shot him! I guess they are not good Catholics like me and my son. Maybe they are Atheists or Protestants. Maybe Jehovah's Witnesses, or some of those Mormons on bikes doing a drive-by?

Prosecutor: Then if you were at home, why didn't you take him to the hospital. The records show that he flagged down a police car, 18 miles away from your residence, to take him to the hospital? You have a working vehicle, don't you?

Anna Peccant: Yes, I have a car. I guess he just didn't want to bother me. I was watching the Bold and The Beautiful, and we do not have a DVR to record the show.

Prosecutor: Okay, if you were busy watching your soap opera, then how do you know your son was in the backyard praying?

Anna Peccant: Because I saw him when I got up to go to the bathroom during the commercial.

Prosecutor: If all this took place during part of your soap opera, then how did your son get 18 miles away, all after being shot three time? Because the records indicate that he said told the police that he had "just been shot" when he flagged them down? Eighteen miles is nearly a marathon!

Anna Peccant: Well, he participated in track in junior high.

Prosecutor: C'mon, you're just being ridiculous. There's no way you really believe your son managed to run 18 miles in under 5 minutes with 3 bullets in him and bleeding like a stuck pig, do you?

Anna Peccant: It is no more unreasonable than believing that he attacked that Girl Reporter with a machete! I know my son, and he would never do a thing like that. He is a good Catholic boy who prays every day, and wouldn't hurt a fly!

Prosecutor: Your son has racked up 6 major felonies in the 4 years since he turned 18, including two felonious assaults with deadly weapons! I have records indicating that you visited him in prison on numerous occasions. You even made a domestic violence complaint against him yourself when he hit you and stole your EBT card last June. You can not be serious that he is a good Catholic. You can not reasonably maintain that he is not the kind of person to attack someone with a machete! You can not say that!

Anna Peccant: Yes I can! He is a good boy who would never attack that hussy with a machete! See! I did too say it!

Prosecutor: And how about the machete with his fingerprints on it! The blood splatters at the crime scene that match his DNA? The Girl Reporter's testimony, and the fact that her cell phone records indicated she was at the crime scene at the time of the shooting, and 18 miles away from your back yard? What about the security camera evidence? Wasn't that your son, wearing the very Sympathy For The Devil shirt that you bought him for Christmas?

Anna Peccant: I think the Police phonied up the evidence and The Girl Reporter is a big liar! Look at that short skirt she is wearing! With boots no less! What a tramp! Haven't you ever heard of dopplegangers, people who look just like other people? And that shirt is sold on the Internet, so who knows how many people have one?

(The Prosecutor throws his papers in the air and shakes his head.)

Judge: Are you through with this witness?

Prosecutor: I guess so. Is there any point in me making a motion that the witness be held in contempt for perjury.

Judge. No. She is entitled to her opinion, There is no legal requirement that she have good sense. Heck, half the country voted for Hillary.

Prosecutor: Okay, please call Ms. Tate to the stand.

(Whereupon, the Defense Attorney is sworn, and seated on the stand.)

Prosecutor: Alright, Ms. Tate, you have heard all the testimony, and seen all the evidence. Do you still maintain that your client is innocent.

Defense Attorney: Well of course I do. All you have presented is evidence, and what my client tells me is also evidence. I weighed it all out, and I believe my client.

Prosecutor: What about the DNA evidence? What about the phone records, the security camera footage?

Defense Attorney: Electronic records are easy to tamper with. Didn't you see Forest Gump?

Prosecutor: How do explain his alibi, that he was 18 miles away from the crime scene, and 18 miles away from where he flagged down the police to take him to the hospital? Is that even physically possible?

Defense Attorney: Well, it is a scientific fact that people under stress get great rushes of adrenaline which permits them to do things they otherwise could not.

Prosecutor: Oh Good Grief! That's ridiculous! And how about the fingerprints and the DNA on the machete? The DNA blood evidence at the scene? The Girl Reporter's excellent and

unshakeable testimony? Remember, you have to be truthful, and exercise candor toward the tribunal!

Defense Attorney: Look, unless you can read my mind, then all you can say is that I just have a different opinion than you. You know as well as I do that mistakes can happen with DNA evidence. And what if the Defendant's fingerprints were on the machete? You can't prove when the fingerprints were put there. Someone could have stolen the machete from him, and used it to frame him.

Prosecutor: Frame him??? Then where is the "real" culprit with 3 bullet holes in him???

Defense Attorney: How would I know? Whoever the real culprit is, he didn't hire me. Plus, I could not represent him, because there would be a conflict of interest between him and the Defendant. I wouldn't want to do anything that wasn't ethical!

Prosecutor: Oh Criminy! This whole affair has degenerated into the absurd!

Judge: Well where did you think it would go? Did you really think that someone who has been paid to represent the Defendant, and pretend to believe his ridiculous alibi, was going to flip on the stand? Or that someone who has a personal interest in the Defendant was going to fink out her son?

The absurdity is you thinking that you ever had a chance with your so called trial strategy. All you have done is wasted your time and Court's time, and all for nothing. By your agreement, I am finding the obviously guilty as sin Defendant "innocent."

Thank you Girl Reporter for allowing this farce to proceed! I hope you write a good story, and win a Pulitzer!

Girl Reporter: Thank you, Judge! Hasn't this been a hoot?

(The Curtain Closes.)

Act 1, Scene III, Per Mimus Explicavit

(The Girl Reporter appears in front of the curtain and speaks directly to the audience.)

Many of you may wonder what this farce was about. For surely no one would ever expect to change the mind of the someone paid to support a ludicrous position, or someone who has an emotional bond to someone or something. Yet, that is exactly what millions of us do every day when we engage in arguments with people on the Internet. Nameless, faceless people and we try our best to convince them of things, and we get nowhere. And we never will. That is why we must always speak to the jury, to the people who have are supposedly unbiased. Otherwise, we only waste our precious time, and grow frustrated. Shantih, shantih, shantih.

