

HELL OR HIGH WATER

Written by

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OPEN ON:

Dead grass. Burnt from four months of triple digit heat and no rain.

We move past an endless sea of it.

Past PUMP JACKS drawing black gold from the dirt ...

Past a herd of cattle scratching breakfast from the blistered earth -- two old bulls huddle in the shadow of a mesquite tree, choosing shade over hunger.

We pass a graveyard of farm equipment and rusted propane tanks, signaling the city limits of ARCHER CITY, TEXAS.

We look over the town -- it doesn't take long.

Surrounding an old, stone courthouse are empty buildings with broken windows. A cafe. A title company ...

And FIRST TEXAS BANK.

We stop in front.

We hear a car door open and shut.

ELSIE WALBERGER, 60, and heavy, curlers in her hair, waddles past us to the entrance of the bank.

She unlocks the door. As she hefts it open --

CAMERA RUSHES TOWARD HER.

Elsie is pushed forward and falls to the floor of the bank with a thud.

She moans, rolls to her side, and sees:

INT. FIRST TEXAS BANK -- ARCHER CITY -- CONT.

TWO SILHOUETTES. MEN. Hard to say who for two reasons: the morning sun through the glass door and the ski masks pulled over their faces.

ELSIE

What in the devil --

ROBBER

(Offering her a hand) Stand up and take us to the cash drawers.

ELSIE
I will not.

The robber kneels below the glare and points a revolver at her face.

ROBBER 2
We ain't askin'.

She scrambles to her feet and is escorted behind the counter.

ELSIE
There's no money in the drawers yet. It's in the safe and I ain't got the key.

ROBBER
Prove it.

She opens the drawers. Sure enough, they're empty.

ROBBER (CONT'D)
Damn.

ELSIE
Y'all are new at this I'm guessing.

ROBBER 2
Where's the money?

ELSIE
I told you, in the safe.

ROBBER 2
Who's got the key?

ELSIE
Mister Clauson. He'll be here soon, and I suggest you fellers don't be. All you're guilty of right now is being stupid. Just leave and that's all it'll be.

One of the robbers spins her to face him. Grabs her by the throat. His cold eyes stare deep into hers.

ROBBER 2
Call me stupid again.

ELSIE
Think you scare me? You stupid son of a bitch.

Uh oh.

The thief's partner steps up, puts a hand on the angry man's shoulder, easing him back, and steps between them.

ROBBER
When does Mister Clauson get here?

ELSIE
Eight-thirty every morning.

They look to the clock on the wall -- 8:29.

The other robber grabs her by the arm and drags her around to the main foyer of the little bank. Points his pistol at her head.

ROBBER 2
Sit.

She starts to move toward a small sofa.

ROBBER 2 (CONT'D)
Where the hell are you going? Sit
on the floor.

She does. Right in the middle of the bank. She looks up at them -- scared for the first time.

ELSIE
What are you gonna do?

CUT TO:

EXT. FIRST TEXAS BANK -- DAY.

A '78 Buick in mint condition comes to a stop in front of the bank. MR. CLAUSON, 50's, bit of a belly and barely any hair, climbs out and looks up at the bank sign, digitally displaying the time and temperature.

The time is 8:30am. The temperature is 98.

MR. CLAUSON
Goodness, it's gonna be a cooker.

He moves toward the entrance of the bank. Behind him we see virtually no signs of life. It's a miracle this bank is even open.

INT. FIRST TEXAS BANK -- CONT.

Mr. Clauson steps through and sees:

Elsie sitting uncomfortably in the center of the lobby,
propping all her weight on one arm, like a broken chair.

MR. CLAUSON
Elsie, you alright?

She shakes her head 'no' as a pistol is placed to Mr.
Clauson's temple ...

CUT TO:

INT. 1988 CHEVY CAMARO -- DAY.

A burnt field, charred and smoking, whizzes by as the engine
whines. We see two men:

TOBY HANSON, late 30's, a kind face marked by years of sun
and disappointment, rides shotgun. It's not the face of a
thief, it is the face of a farmer.

Behind the wheel is TANNER HANSON, 40, his brother's opposite
in every way: mustache, shaggy hair, an air of danger that
attracts as many women as it repels.

He lights a smoke as Toby wipes sweat from his brow.

Tanner grins from ear to ear.

TANNER
Just like the army. Doin' more
before nine a.m. than most folks do
all goddam day.

Toby looks straight ahead. They ride in silence for a moment.
Then Tanner explodes --

TANNER (CONT'D)
WHOOOOOOOOOOHOOOOOOHOOHOO!!!!!!

He pounds the dash. Toby waits for the storm to pass. It
does. Silence again.

TOBY
You need to go a little easier on
the tellers.

TANNER
I go as easy on them as they go on
me.

Beat.

TOBY

Slow down.

He doesn't.

In the distance, they see the throbbing lights of a SHERIFF'S CRUISER headed toward them.

TOBY (CONT'D)

Slow down --

TANNER

I ain't speeding.

The cruiser races toward them. Tanner drives without a care in the world. Toby is frozen to his seat, eyes tracking the car as it approaches.

The cruiser whips by. Toby looks in the side mirror, certain the vehicle is going to turn around. It doesn't.

TANNER (CONT'D)

See, little brother? We ain't got a worry in the world.

Tanner takes a long pull from his cigarette, and looks out over the black top.

TOBY

Plannin' this and doin' it's two different things.

Tanner laughs. His demeanor is so relaxed, you'd think they were taking a drive with no destination at all.

TANNER

Shit, most people that do this don't think to plan at all. ... You know, we're half way to Olney. Might as well put ourselves a day ahead.

Toby looks exhausted. But it's true. Tanner looks at him and smiles.

TANNER (CONT'D)

C'mon. Early bird gets the worm.

Beat.

TOBY

Slow down.

He doesn't.

EXT. TWO LANE HIGHWAY -- CONT.

The Camaro pulls away from us. We try to keep up, but it disappears over a rise. We stare at broken yellow lines as they race underneath us.

CAMERA RISES. We see the Camaro in the distance. It is the only car on the road. In fact, it is the only sign of life in any direction. Smoke rises from scorched fields in every direction. From our vantage point, it seems the whole world is on fire ...

CUT TO:

INT. FIRST TEXAS BANK -- OLNLY BRANCH -- DAY.

This branch was built in the fifties and hasn't had a remodel since. There is one surveillance camera mounted above the teller's counter.

A MAN IN HIS 80'S is placing rolls of coins on the counter before a chubby, young TELLER. There is a dolly loaded with three cardboard boxes beside him. They are the only two people in the bank.

MAN

I found three boxes in the barn. Lord knows how long they been sittin there. (The old man chuckles) I been living on an inmate's diet and had all these boxes just sitting under feed sacks.

The teller smiles.

TELLER

How do you forget such a thing?

OLD MAN

Old as I am, lucky I could find my way here.

The teller examines a roll of pennies.

TELLER

This one says 1953.

She breaks open the roll.

TELLER (CONT'D)

I wonder if any of these is collector's items. You could be sitting on a fortune here.

We hear a JINGLE OF BELLS from the front door. In a flash, a pistol is pointed at the old man and a blurred image leaps over the counter.

TANNER, in ski mask, is now behind the teller, pistol to her head. Toby appears beside the old man.

TANNER

Open the drawer.

Her eyes go wide. She raises her hands to the sky.

TANNER (CONT'D)

Put yer hands down and open the drawer.

She does.

TOBY

Ones, fives, tens, and twenties. No hundreds.

OLD MAN

Don't this figure. Good lord won't even let me have it for a damn day.

TOBY

(Looking over the boxes) We don't want your coins, old man.

OLD MAN

So you boys is robbing the bank?

TANNER

Shut up.

TOBY

Keep your hands on the counter.

The old man simply can't wrap his head around what he's seeing.

OLD MAN

That's crazy ... Ya'll ain't even Mexican.

She reaches for the ink pack.

TANNER

No no no. Leave that where it is.
And none of them in bundles, just
the loose cash.

OLD MAN

You oughta be ashamed of yerself --

TANNER

Oh, I am. Make no mistake. But I'm
doing it anyway. Put your hands on
the counter where I can see em, old
man. Got a pistol on you?

OLD MAN

Damn right I do.

TANNER

(Looks hard at Toby)Keep up with
the circumstances, okay?

Toby shakes his head at the scolding and frisks him, finds a
snub nose .38 and sets it on the counter, out of the old
man's reach.

OLD MAN

You gonna steal my gun?

TANNER

(Pointing his pistol)I got my own
gun --

TOBY

We ain't stealing from you, we're
stealing from the bank.

OLD MAN

It's the same thing, son.

Tanner jumps the counter.

TANNER

Like hell it is.

They turn and run. The old man grabs his pistol and fires,
shattering glass beside them as they exit the building.

EXT. FIRST TEXAS BANK -- OLNLY, TEXAS -- CONT.

The brothers run around the building to the back of the bank
and the waiting Camaro.

They tear off through the alley.

The old man struggles out the front door, pistol in hand, looks down the street. Nothing. Looks the other way. Nothing there either.

Just like the last town, it appears in every way to be deserted.

INT. CAMARO -- RESIDENTIAL STREET -- OLNLY, TEXAS -- DAY.

Masks removed, the brothers are drenched in sweat. They pass house after house with dead lawns and no cars in the driveway.

Some of the windows are broken, some boarded up. One thing is certain, whoever lived in these little towns doesn't live here anymore.

TANNER

Put the gun on the counter?? You liked to get us killed!

TOBY

I'm not stealing from some old man. We stealing from one place. That's it.

But Tanner isn't angry, he's laughing.

TANNER

You're turning out to be a poor criminal.

Toby opens the trash bag, judging the take. This was a much bigger haul.

TANNER (CONT'D)

See what the early bird gets?

Through the windshield we see field after field of cotton, drab and stunted from the heat. Olney is far behind us now.

A tinge of relief on Toby's face -- this may actually work. He leans his head back.

TANNER (CONT'D)

(The gleam returns to Tanner's eyes) Wanna head over to the branch in Jayton?

Relief gone.

TOBY

NO. (He looks at his brother) We hit these banks first thing in the morning. When they're empty... That's the last time I care to be shot at.

Toby runs his hand over his sweat-drenched face.

TOBY (CONT'D)

Gotta be smart. We're a ways from being finished.

TANNER

Hell, we could do this all week.

TOBY

We're gonna.

Tanner laughs.

TANNER

Can't nobody stop us ... We like the Comanches, little brother. Lords of the plains... Raiding where we please, with the whole of Texas huntin' our shadow.

Field after empty field fly by Toby's window. He stares out over them.

Tanner lights a smoke, draws in a deep drag.

TANNER (CONT'D)

Lords of the plains. That's us ...

Toby looks in the direction of his greatest worry, who exhales smoke and smiles.

CUT TO:

INT. TEXAS RANGER'S OFFICE -- ABILENE, TEXAS -- DAY.

MARCUS HAMILTON, two weeks shy of 70, thick silver mustache, sits at his desk. A large Texas flag tacked to the wall behind him.

He looks over a LETTER from the DPS HEADQUARTERS in Austin. The heading says it all: Mandatory Retirement Referendum.

The letter is worn at the edges -- Marcus has spent a fair amount of time looking it over.

Marcus packs a can of Copenhagen with fifty year's worth of skill, and sticks a pinch inside his lip.

A younger Ranger, and by younger I mean 50, walks in. His name is ALBERTO PARKER, and aside from his olive skin, he looks almost identical to Marcus: thick mustache, beer belly, gold star on a starched white shirt, bone colored Stetson hat.

PARKER

You hear about these bank robberies?

MARCUS

Why you always dress like me?

Beat.

PARKER

This is our uniform.

MARCUS

We ain't got no uniform. You can wear any color shirt you choose. You just keep choosing mine.

PARKER

Texas Ranger regs say white, blue, or tan dress shirt. Stands to reason every so often we gonna end up dressed the same.

MARCUS

Well, they say imitation is the greatest form of flattery, Alberto. Did you know that?

Alberto is half Comanche and half Latino, though his Texas twang is as pronounced as any cowboy.

PARKER

Wanna hear about these bank robberies or just sit there and let Alzheimer's run its course?

MARCUS

Where at?

PARKER

First Texas in Archer City and First Texas in Olney.

MARCUS

FBI looking for an assist?

PARKER

Ain't theirs. First Texas ain't got
branches outside the state. Not
interstate commerce.

A flicker of fire ignites in Marcus's eyes.

PARKER (CONT'D)

You may get to have some fun before
they send you to the rocking chair
yet.

Marcus's chair squeaks as he leans back.

MARCUS

... I may have one hunt left in me.

CUT TO:

EXT. HANSON RANCH -- DAY.

The Camaro throws dust along the dirt road as it drives past a rotting house, various outbuildings, and a collapsing barn. A few skinny cattle try to eek out a meal from the dead grass.

The Camaro drives past the barn, past a dried pond, and stops.

Toby steps out of the Camaro. Climbs on a FRONT-END LOADER (a bulldozer in layman's terms). Tanner drives the Camaro into a ten-foot deep ditch.

Beside the ditch are THIRTY PEACH TREES, their roots protected by burlap sacks.

The bulldozer roars to life and begins pushing a large pile of red dirt.

INT. BULLDOZER -- CONT.

We look down on the blade holding two tons of dirt. Watch as it releases the load, pounding the roof of the Camaro.

We see Tanner carrying two duffels and the trash bags of money toward the sheet metal barn.

Half-starved cattle watch with curiosity from the relative shade of a mesquite tree.

EXT. SHEET METAL BARN -- CONT.

Tanner pulls open the doors to the barn. Inside, we see THREE VEHICLES. A Chevy Blazer, an old Ford Taurus, and a rusted Ford pick up.

Tanner tosses the duffels on the hood of the Taurus. Walks out of the barn carrying the bags of money.

EXT. FRONT PORCH -- HANSON RANCH HOUSE -- A LITTLE LATER.

Tanner sits, guzzling a beer, an unopened Bud in his lap. Toby walks up, Tanner tosses the beer to him.

 TOBY
I need you sober.

 TANNER
Who the hell gets drunk off beer?

 TOBY
You count it?

Tanner smiles.

 TANNER
Ain't my money.

Toby begins stacking and counting the cash as he sips his beer.

 TANNER (CONT'D)
We oughta go hit the branch in Coleman before we change this money.

 TOBY
We change the money first. Hit the branch in Coleman in the morning.

 TANNER
It don't make no sense to drive to Oklahoma, then drive all the way back to Coleman, then all the way back to Oklahoma when we could change all the money tonight.

 TOBY
It don't make sense to you.

 TANNER
That's what I said.

But Toby offers no explanation.

TANNER (CONT'D)
Goddam that was fun ... Wasn't it?

TOBY
No.

Tanner laughs out loud.

TANNER
You lying bastard. I saw you. You liked it ... looked like you were sproutin' a little wood fer that teller in Olney too. That's the problem with these baggy jeans -- can't hide a hard hog against yer leg. Remind me to wear my wranglers if we start robbin' high schools.

Toby looks up.

TOBY
This ain't supposed to be fun. And we ain't robbing anybody. We're robbing 'em back.

Tanner drains his beer, cracks open another.

TANNER
Call it what you want. It's the most fun I've had with clothes on. I wouldn't have missed this fer the world and two hookers.

Toby looks at the stacks of money.

TOBY
Half way there.

Tanner holds out a beer. Toby looks into his smiling eyes. Shakes his head and takes it anyway.

Tanner walks to the edge of the porch. Jumps off. Walks out and turns back toward the house.

TANNER
Boy this place looks like shit.

Tanner looks over the emaciated cattle in the field beside him.

TANNER (CONT'D)

Ain't a decent steak between the whole lot of those sorry sons of bitches.

Toby watches his brother, senses the storm brewing. Knows silence is the best weapon against it.

Tanner shakes his head at the crumbling house. For the first time, he isn't smiling. He jumps back on the porch and walks inside.

Toby rubs his sunburned temples, sighs, then stands and follows.

INT. HANSON RANCH HOUSE -- CONT.

Toby comes through the front door. The furniture is at least thirty years old. Boxes are stacked everywhere.

We see a SUIT laying across a chair at the dining room table. On the table is a PAMPHLET from a funeral -- black and white photo of an old woman on the front.

The color version of that photo hangs on the wall.

Beside the pamphlet is a FIRST TAXES BANK folder with numerous loan papers sprawled around it.

Tanner steps out from the kitchen. Looks around.

TANNER

You haven't done much cleaning.

TOBY

Cleaned mama six times a day. That was enough for me.

Tanner picks up the funeral pamphlet.

TANNER

She died in the bedroom?

TOBY

Yeah.

Tanner takes off down the hall. After a moment, Toby follows.

INT. BEDROOM -- CONT.

A HOSPICE BED, complete with rails, sits in the center of the room, An IV stand by its side. The sheets and blankets are crumpled and tossed back, as if someone just climbed out.

TANNER

Better get this out of here before
your boys move in.

TOBY

It's on the list.

Tanner sips his beer. Looks around the room. Stacks of magazines. Countless prescription bottles on the dresser.

TANNER

She was in this bed a while, huh?

TOBY

Three months.

Tanner nods. Shuffles his feet. Guilt setting in.

TANNER

I could've lent a hand if she'd
asked. Could've fed them skinny
cows at least.

TOBY

Got nothing to feed 'em.

TANNER

Well, could've cleaned up this
house a bit.

Toby almost smiles.

TOBY

Never thought of you as the go-to
guy for house cleaning.

TANNER

No ... Just robbing banks.

Beat.

TOBY

Hey bud, your phone dials out, you
could have checked on us anytime.

TANNER

She could've asked.

Tanner finishes his beer, crushes the can, and tosses it on the bed.

TANNER (CONT'D)
 Fuck her. She never wanted nothing
 to do with me anyway.

Tanner walks out of the room, brushing past Toby.

Toby looks at the beer can. He walks over, picks it up, and puts it on the night stand.

EXT. RANCH HOUSE -- MOMENT LATER.

Toby steps onto the porch. Finds Tanner leaning against an old corral fence.

Toby gives his brother some distance.

TANNER
 She leave a will?

Beat.

TOBY
 Yeah.

TANNER
 Was I in it?

Silence. Tanner turns to his brother, who looks down at his boots, then dead into Tanner's eyes.

TOBY
 No.

Tanner has to smile. Drinks from yet another beer. Toby steps off the porch and walks up beside him.

TOBY (CONT'D)
 The will don't matter. She left
 everything to me, and by Friday, it
 all goes to my boys ... She didn't
 mean nuthin' by it. Mama's been
 gone for years. I just tended to
 the body.

TANNER
 She damn sure meant it. Mama was
 like a dog that got kicked every
 time it was fed.

(MORE)

TANNER (CONT'D)

After a while she started to think
the beatin' was part of the meal.
Hated me fer knowin' the
difference.

TOBY

That's not it.

TANNER

No?

TOBY

It's cuz you never understood that
fighting back just makes the
beating last longer.

Tanner laughs. So does Toby. A little.

TANNER

Oh, I understood it.

Tanner leans into Toby, resting his hand on his brother's
neck.

TANNER (CONT'D)

That's why I stopped fighting and
shot that son of a bitch.

They both lean on the fence, looking out over the parched
field filled with mesquites -- the only plant mean enough to
survive in this place.

CUT TO:

EXT. FIRST TEXAS BANK -- ARCHER CITY, TX -- DAY.

Marcus and PARKER pull up to as large a crowd as Archer City
can muster: a dozen people and another dozen Sheriff's
deputies stand under the awning of the bank, hiding from the
sun like bats.

They walk toward the 'crowd' as a truck pulling a horse
trailer slows. The window rolls down and we see a RANCHER,
50, his face as weathered as it is unforgiving.

RANCHER

What's gong on?

MARCUS

Somebody robbed the bank this
morning.

RANCHER

Do what?

MARCUS

Ain't seen no one unusual in town,
have you?

RANCHER

I don't come to town except to buy
diesel and put my paycheck in that
sombitch right there (points at
the bank), and you say someone
robbed it?

MARCUS

Looks that way.

The rancher shakes his head.

RANCHER

There was a time you could have
left that bank unlocked overnight
and no one steal a penny.

Marcus smiles.

MARCUS

I remember it. (Hands him a card)
You see anyone that looks a little
sideways, you give me a call.

RANCHER

Sideways don't want to meet me.
Find itself on the wrong end of a
short rope.

MARCUS

Well, that would simplify things
for everyone but you.

RANCHER

Maybe. If you can find the tree.

The rancher pulls away. Marcus smiles.

MARCUS

God, I love West Texas.

They walk to the bank as a DEPUTY approaches.

DEPUTY

Weren't much of a robbery. Got off
with just under seven thousand.

(MORE)

DEPUTY (CONT'D)
Took the drawer money. Twenty's and
under. Only loose bills.

MARCUS
So no ink pack.

DEPUTY
Nope.

Marcus nods.

PARKER
Smart.

MARCUS
That was smart, wasn't it. Can we
get a look at the video?

The deputy's eyes narrow.

DEPUTY
Let me introduce you to the bank
manager.

Waves them over to a boiling Mr. Clauson.

MR. CLAUSON
Why can't we wait inside? It's
gotta be --

He looks above them to the First Texas sign and thermometer.

MR. CLAUSON (CONT'D)
My goodness gracious, it's a
hundred and five and barely noon.

DEPUTY
It's a crime scene, Mr. Clauson.

MARCUS
Can we get a look at the
surveillance video?

Mr. Clauson shrinks a little.

MR. CLAUSON
Well, umm ...

They all wait for him to continue. He doesn't. Just looks at
them, sweating.

DEPUTY
No video.

MARCUS
... No video?

Marcus looks up and points to the surveillance camera above the front door.

MARCUS (CONT'D)
What's that?

MR. CLAUSON
Oh, we got cameras, but ...

They wait for him to finish the sentence. He doesn't.

MARCUS
VCR busted, is that it?

MR. CLAUSON
They been planning to switch us over to a digital system that feeds right into the computer, these new cameras, they don't hook to our VCR's. Need some kind of USB port.

MARCUS
Mmhmm.

Turns to PARKER.

MARCUS (CONT'D)
Call over to the Young County Sheriff's, see if they just hit teller drawers and stuck to small bills, I'm sure they did, but -- and ask em if they thought to hook their cameras to some sort of recording device.

PARKER dials his cell. Marcus turns to Mr. Clauson.

MARCUS (CONT'D)
They armed?

MR. CLAUSON
Yes sir. Pistols.

MARCUS
Faces was covered?

MR. CLAUSON
Ski masks, long shirts, sweat shirts and baggy pants, like them thugs in Dallas.

DEPUTY
Tweakers maybe?

PARKER
Maybe.

MARCUS
Little early in the morning for
tweakers --

PARKER
What the hell you talking about?
Tweakers don't sleep at all. They
just ... Tweak. All day and all
night. And think of ways to tweak
some more -- like robbing banks.

MARCUS
These boys ain't tweakers. Tweakers
rob drug stores and parked cars,
not banks.

Marcus spots Elsie, sitting on the steps, sweating buckets.
He walks to her.

MARCUS (CONT'D)
You the teller?

She looks up at him. Her face wearing the violation of the
morning.

ELSIE
They pushed me to the ground. Gun
to my face. Made me sit on the
floor.

Her face curls at the thought.

ELSIE (CONT'D)
On the damn floor.

MARCUS
I know their faces was covered but
could you tell their race?

She just looks at him.

MARCUS (CONT'D)
Black? White?

ELSIE
Their skin or their souls?

MARCUS

Let's leave their souls out of it
for now.

ELSIE

If it was two black men, they'd
have never made it IN the bank ...

Beat.

MARCUS

So they appeared Caucasian is what
you're saying.

ELSIE

(Nodding) From around here
somewhere is my guess. From their
voices.

PARKER walks up.

PARKER

Young County says same deal.

MARCUS

They got video?

PARKER shakes his head.

PARKER

Same deal all the way around.

MARCUS

Doesn't Wal-Mart sell all sorts of
electronics? My word ... These boys
ain't done, I'll tell you that
much.

PARKER

How come?

MARCUS

They're patient. Just hit the
drawers and don't take the hundreds
cuz that's the bank's money -- you
can trace that. They're trying to
raise a certain amount is my guess
and it's gonna take a few banks to
get there at this rate. Besides ...

Marcus looks at Mr. Clauson, Elsie, and the little bank.

MARCUS (CONT'D)

This is just too damn easy.

Marcus looks back over the small crowd -- all simple, country folk, milling about in a state of grave disbelief. It's a miracle people haven't been robbing them non-stop for the past century.

CUT TO:

INT. DINER -- VERNON, TEXAS -- LATE AFTERNOON.

Toby and Tanner sit at a table scarfing chicken fried steak. Through the window we see a WEST TEXAS STATE BANK branch. They are no longer dressed in baggy, urban gangster wear, but like the poor country boys they are.

Aside from a few old timers sipping coffee in a distant booth, the diner is empty.

TANNER

You're boys know how rich they're about to be?

TOBY

They don't know anything.

TANNER

You take 'em to the funeral?

A beat as they chew their food.

TOBY

Like I said. They don't know anything.

TANNER

You haven't told 'em their grandmama died? (Toby just eats)
When's the last time you saw 'em?

Beat.

TOBY

When we all went to the rodeo in Stamford. Right after you got out.

Tanner stops chewing.

TANNER

That was last year.

And that'll do it for Toby's appetite. He sets his fork down.

TOBY

I talk to 'em on the phone. When Debbie's not around ... It's like time hooked a chain to 'em, and it's just ... pulling them away.

TANNER

Want a little advice?

TOBY

No.

TANNER

Go see 'em tomorrow. In case this don't work out, at least they'll have a chance to do something if we get popped -- lord knows your spider of an ex-wife won't let this go without a fight.

TOBY

Got any idea how much I owe in child support? Debbie sees me walking up, she'll have the sheriff on the phone before I ring the doorbell. When we're done with this, I'll see 'em every day.

Tanner laughs at his brother.

TANNER

You got enough in your front pocket to fix that problem.

Beat.

TOBY

We'd have to add one to the list.

TANNER

So add one.

Toby looks at his plate.

TOBY

You talk like we ain't gonna get away with this.

Tanner leans into him.

TANNER

I ain't never met nobody who got away with anything. Ever. Have you?

Tanner smiles. Wipes his mouth with his napkin and tosses it on his plate.

TANNER (CONT'D)
I gotta shit like an old goat. Grab
the check and meet me out front.

And Tanner's off.

Toby swirls his almost empty tea, watching the few remaining ice cubes travel around the bottom of the cup.

JENNY ANN (O.S.)
Boy, if that ain't a hint, I don't
know what is.

We look up at JENNY ANN, 29, a real looker when she was a teenager. Now, too plump to be called pretty, but still cute and proudly displaying the one benefit of gaining fifty pounds. Her blouse can barely contain her breasts.

She takes his cup and fills it.

JENNY ANN (CONT'D)
You like your steak?

TOBY
I did.

JENNY ANN
(Looking over his plate) Got a ways
to go yet.

TOBY
You'll be here all night waiting
for me to finish this.

She stands over him, smiling.

INT. WEST TEXAS STATE BANK -- CONT.

A young teller, this must be her summer job because she looks sixteen, sits at her 'window' staring at a small black and white TV.

TANNER (O.S.)
Sure is quiet in here.

TELLER
Everyone's at lunch, can I --

A ski mask stares back, pistol casually pointed at her.

TANNER

Open that drawer and take out the fives, tens, and twentys. Fan em out in front of me like a deck of cards.

She does as he says. Looks at him, almost hyperventilating.

TANNER (CONT'D)

Your purse down there?

TELLER

I don't have any money.

TANNER

Don't want your money, darlin'.

He smiles a toothy grin through the mask.

TANNER (CONT'D)

I want your driver's license. Hand it over.

She fumbles for her purse, retrieves it. Hands him the license.

TELLER

What are you gonna do?

TANNER

Depends. If you call the police --

Tanner looks over his shoulder to a glass office, a man sitting behind the desk, facing away from us.

TANNER (CONT'D)

Or say anything to him, (He holds up the license) I'm gonna drive to your house and kill everyone I find. Understand?

She frantically nods 'yes'.

TANNER (CONT'D)

Good girl.

He smiles, his eyes lingering over her young body, watching her breasts heave with every panicked breath.

TANNER (CONT'D)

You're lucky I'm on a schedule.

He turns and walks out. The girl leans back on her stool, gasping for air.

INT. DINER -- CONT.

JENNY ANN
What do you do?

TOBY
(He lies) Last job was for a
natural gas company.

JENNY ANN
That sounds high dollar.

He smiles.

TOBY
Nothing high dollar about drilling,
and ... No one's drilling for gas
now anyway.

JENNY ANN
Well, they're sure drilling for
oil. Ain't one drill the same as
the next?

He looks at her bright eyes and eager, almost flirty smile.
It makes him a little uncomfortable.

TOBY
That's my take on it. Now I just
gotta convince someone else to
believe me.

JENNY ANN
I believe you.

TOBY
... Somebody hiring.

She tosses her considerable weight to one hip.

JENNY ANN
We could use a cook.

She sets the check on the table. Her phone number written on
it. The look on her face is one of coy desperation. Who knows
when another handsome man even close to her age will wander
through this town again.

JENNY ANN (CONT'D)
Just a thought.

She stands there. He says nothing. Her coyness leaves her.
Only desperation remains. Finally, she walks off.

He looks at the bill: \$18.49

He looks in her direction, pulls a wad of stolen money from his pocket and counts out two hundred in twenties.

EXT. DINER -- VERNON, TEXAS -- CONTINUOUS.

Toby walks to the Taurus and looks up to see Tanner RUNNING toward him.

TANNER
Start the car.

Toby puts it together.

TOBY
Shit.

He jumps in the car and fires it up. Tanner jumps in.

INT. TAURUS -- CONT.

Toby heads straight for the side streets.

TOBY
WHAT DID I TELL YOU!!! YOU'RE GONNA
GET US KILLED!!! THAT'S NOT A FIRST
TEXAS BRANCH ... I must be out of
my goddam mind to ask for your help
on this.

Tanner holds up a wad of cash.

TANNER
Bet you don't owe this much in
child support.

He doesn't. Toby collapses his head against the seat.

TOBY
You just put us a goddam day
behind.

Tanner lights a cigarette. Smiles.

TANNER
You're welcome.

INT. WEST TEXAS STATE BANK -- A FEW MOMENTS LATER.

The bank manager walks toward the teller, his head in a file.

BANK MANAGER
I need these copied in triplicate
before we lock up --

He looks up to see the terrified girl, mascara running down her cheeks, shaking. He leans over the counter and sees the open, almost empty drawer.

BANK MANAGER (CONT'D)
Did you hit the alarm?

She just shivers.

The manager leans his body over the counter and reaches his hand underneath, hitting a white button. The teller screams for all she's worth and claws at his hands --

TELLER
NOOOOO!!!!!!

INT. MARCUS'S LINCOLN -- LATE AFTERNOON.

Marcus's cell phone rings. He hands it to PARKER.

PARKER
Can't answer your own phone?

MARCUS
I'm driving, all your doin' is
twiddling your fat fingers.

PARKER
Ranger Hamilton's phone (Listens,
then looks at Marcus) Turn around.

EXT. COUNTRY ROAD -- CONT.

We watch as Marcus's Lincoln whips around, heading back north...

EXT. HANSON RANCH -- SUNSET.

We watch Toby plant peach trees in the red dirt that now rests on the Taurus. Tanner sips a beer, standing under the shade of a large mesquite.

TANNER
That one looks crooked, Toby. Could
be a dead giveaway.

Tanner chuckles at his own joke. Toby marches toward the house.

TOBY

Now we won't make it to Lawton till damn near midnight and we have to stay over cuz we gotta get another goddam car first thing tomorrow.

TANNER

I'll still be drinking first thing tomorrow. How bout third thing?

Toby storms off toward the house. Tanner empties his beer. Tosses it on the ground, still laughing at his own joke as he cracks open another. His smile disappears. With no one watching, his bravado leaves him too. He no longer looks dangerous. Just lonely ...

CUT TO:

INT. MARCUS'S LINCOLN -- SUNSET.

Marcus and PARKER head north on a two lane black top. Emptiness on either side of them.

MARCUS

Just over an hour between the first two, then wait all day to hit the bank in Vernon... Boy that's bold, driving all over in a car with stolen money.

PARKER

It's reckless is what it is. Tweakers, I'm telling you.

MARCUS

I don't think these boys is reckless. Damn sure ain't tweakers. They know exactly what they're doing.

PARKER studies his partner.

PARKER

How in the world are you gonna survive without someone to out smart? You need a hobby and quick ... How bout a horse?

MARCUS

Beth was the rider. A horse would just remind me of her.

Beat.

PARKER

You like to fish?

MARCUS

Not enough to do it every goddam day.

PARKER

When I retire, I'm gonna move Esma and me to Galveston, and buy a fishing boat -- There's these boats got a bedroom, kitchen, bathroom, everything. Like a floating apartment. Live on that sombitch right at the pier.

MARCUS

Guess you forgot about the hurricane that washed away the pier and the rest of Galveston with it.

PARKER

They're gonna rebuild it. I ain't retiring next week, you are.

The words stung more than either men expected. PARKER fumbles idly with the seat belt while Marcus stares straight ahead.

MARCUS

Who knows, maybe one of these bank robbers will want a gun fight, and I'll dodge retirement in a blaze of glory.

PARKER

I seen you shoot. There won't be much glory in it.

Marcus laughs.

MARCUS

Well, I'm lucky I got a half breed by my side to avenge me ... If you can stay sober enough to do it, knowing how you injuns like the bottle.

PARKER laughs at the insult.

PARKER

Oh, you'd avenge me, would you?

Marcus looks over at PARKER, dead serious.

MARCUS

I'd chase them all the way to hell
and kill 'em on the devil's
doorstep ... Take my damnation with
a smile, my friend.

We look out the windshield.

Black smoke blocks out the setting sun.

MARCUS (CONT'D)

What in the hell is that?

The road winds up a hill. They crest it and see:

CATTLE, HUNDREDS OF THEM, STANDING IN THE ROAD.

Marcus locks the brakes. The Lincoln slides and squeals to a stop.

They sit in silence, surrounded by cattle.

PARKER

Good Lord, Marcus.

COWBOYS on horseback race through the cattle, dismount, and frantically cut the barbed wire on the fence along the far side of the road.

Marcus leans out his window.

MARCUS

Hey, ya'll burning this field?

COWBOY

Why in the shit would we do that??
This kicked up along the highway.
Wind keeps turning, goddam if it
ain't been chasing us for miles.
Whichever way we go, this damn fire
follows.

The cowboy is on his horse and riding up toward Marcus's window.

MARCUS

Wish we could do something for you.

COWBOY

It'd be easier if I just stood here
and let it turn me to ashes. Put me
out of my misery ... It's the 21'st
century and I'm racing a fire to
the river with three hundred
cattle. No wonder my kids don't
wanna do this nonsense for a
living.

The sun has set. The cowboy whistles and three dogs spring
from nowhere, nipping at the heels of the cattle. One dog
jumps on the back of a cow, backlit by the dying sun. It's
silhouette runs from the back of one to another and another,
terrifying the exhausted cattle into action.

The cattle moo and moan and move through the thirty-foot hole
in the fence.

PARKER

Wanna call it in?

MARCUS

It'll burn out when it hits the
Brazos. No one to call around here
anyway. These boys is on their own.

The cattle pass, cowboys whooping and hollering behind them.
Marcus starts the car down the road, which is now covered in
cow shit.

Marcus crests the rise in the road and the fire comes into
view -- a vast expanse of smoldering black earth in its wake
... Across the road, coyotes, one after the other, trot
across the road.

Up ahead a deer. Then another. And another. Seeking salvation
from the fire.

PARKER

Looks like Noah's Arc.

MARCUS

If the Arc never showed.

PARKER

Slow down.

Marcus looks at him cross-eyed.

MARCUS

You see that fire to the left of
us?

PARKER

There's animals all over the damn
road and you're --

The car jerks to a stop.

Standing in the middle of the road in the headlights is a cougar. It looks at them like a man caught on the toilet. Turns to run back toward the fire, then turns again and bolts over the barbed wire fence, running off through the field.

PARKER (CONT'D)

I never seen one of them before.

Marcus's face is one of wonder -- as though all this chaos is one last gift before the tedium of no purpose consumes him.

MARCUS

Me neither.

Marcus opens his door and steps out onto the road. Fire moves toward them through the field, crawling low to the ground, like a snake.

As the dull orange of the setting sun disappears, the neon-orange of the fire bleeds toward them like lava.

Two more deer trot across the road. Through the headlights, an exodus of dozens of rabbits.

PARKER

This is the craziest thing I ever
seen.

MARCUS

What a day.

CUT TO:

INT. CHEVY BLAZER -- NIGHT.

Tanner drives as Toby rides shotgun. Country music keeps them company. The air between them is thick.

Tanner slows and turns onto a dirt road.

TOBY

What are you doing? We're a day
behind as it is.

TANNER

Casino ain't going nowhere. I need a few things (Off Toby's look). My trailer's right up here.

Toby stews as the Blazer bounces down the dirt road.

They turn onto an easement and come to a bump gate -- a spring mounted gate one bumps with the grill of a car, forcing the gate to open and very slowly close as a vehicle passes through.

They hit it, it pops back and they pull through.

TOBY

Whose land is this?

TANNER

Jeremy Chalker's. Let's me keep it here in exchange for killing coyotes. And any poachers who should wander this way.

Tanner winks at him. They bounce past mesquites and junipers and come to a tattered trailer. It is missing a rear wheel -- the axle propped level with stacked wood.

It is faded and filthy. A portable generator sits beside it as do propane tanks and gas cans.

The Blazer stops. Tanner hops out.

TANNER (CONT'D)

Come on in.

Tanner disappears into the trailer.

INT. TRAILER -- CONT.

Toby steps into the 'living area'. It is absolutely filthy. Clothes, fast food bags, empty beer cans everywhere.

Toby almost holds his nose as he looks around.

TANNER (O.S.)

There's cold beer in the fridge.

Toby goes to the fridge and grabs one. Anything to beat the stifling heat, made worse by standing in this tin box.

Toby notices a shelf that runs just beneath the ceiling. On it are framed photos of them as boys, as teenagers, as young men. They are the only things that are not broken or in disarray.

He moves closer. Looks at them. One in particular: Tanner and Toby on the front porch of the ranch house with their mother - her cold, unforgiving gaze, tempered by Toby's expressionless face, and Tanner -- all smiles.

Toby looks at it, his face now washed with regret.

TANNER (O.S.) (CONT'D)
She looks meaner'n hell in that one, don't she?

TOBY
Don't look happy.

Tanner grins his devil grin.

TANNER
That's cuz I was standing next to her. Grab this for me, will you?

He hands a duffel bag to Toby. The weight of it jerks Toby's arm down.

TANNER (CONT'D)
Toss it in the truck, I'll be right out.

Toby exits and Tanner opens a small closet door, grabs an AR 15 assault rifle, and a scoped 30-06 ...

EXT. TANNER'S TRAILER -- CONT.

Toby tosses the bag in the back. Unzips it: ammo cans.

Tanner walks out of the trailer carrying two rifle cases.

TOBY
We don't need those.

TANNER
They're my livelihood. Can't just leave 'em in the trailer for days on end.

TOBY
Who's gonna find 'em out here?

TANNER

No one now.

Tanner places them in the back then climbs in the driver's seat. Toby turns and looks at the trailer --

This is how his brother lives. All he has to show for forty-two years of life. Toby shakes his head, all anger gone. Pity in its place.

He climbs in the Blazer, looks at his brother.

TANNER (CONT'D)

What?

TOBY

Nothing.

It's the kindest we've heard Toby speak.

EXT. GAS STATION -- HIGHWAY -- LATER.

Tanner rests his feet on the dash while Toby pumps gas. Tank filled, Toby hangs up the pump.

TOBY

You want anything?

TANNER

Winston lights and a Dr. Pepper.

Toby walks off. A NEW DODGE CHALLENGER, Painted to look vaguely like the Dukes of Hazard vehicle, pulls up in all its soulless pretension.

Behind the wheel is the post-modern version of white trash, in his 20's: head shaved, MMA tank top, and a mountain of attitude.

How this dickhead afforded this car in the first place is a mystery.

Tanner looks over at him. The young punk stares back.

PUNK

What?

Tanner smirks. Looks away.

PUNK (CONT'D)

What old man?

Tanner looks back at the steroid assisted build of this asshole, and his skinny buddy riding shotgun.

PUNK (CONT'D)

You looking for trouble, you came to the right place, mother fucker.

Tanner turns lazily toward him, locks eyes.

TANNER

Boy, you'd think there was ten of me.

PUNK

Oh yeah?

The punk flashes a pistol.

PUNK (CONT'D)

Not so fucking tough now, are you?

The punk is stepping out when the car door is SLAMMED back into him. The gun falls to the ground.

Toby grabs the punk by his ears and pulls him halfway out the window, then proceeds to pound his face with elbow after elbow. He does it with a speed and violence we did not expect of him.

Tanner watches with a combination of amusement and affection.

Toby steps over to the passenger door while the punk hangs unconscious from the driver's window.

When Toby throws open the passenger door, he is met with raised hands and a look of terror.

SKINNY PUNK

He had it coming! He had it coming!

Toby slams the door and walks toward the Blazer. Tanner leans back, feet still on the dash.

TANNER

Look at you, got a little spunk left in you yet.

Toby bends over and picks up the pistol.

TANNER (CONT'D)

And even remembered the gun. You're becoming an old hand at this.

TOBY

This asshole could have killed you.

Tanner smiles and casually raises his own pistol.

TANNER

Not the way it would've gone,
little brother.

Toby climbs in the passenger seat. Tanner starts the engine as the punk slowly comes to and looks up at Tanner, his broken nose bleeding profusely.

TANNER (CONT'D)

Ten of me. I told you.

Tanner slams the Blazer in gear and they pull back on the road.

INT. WEST TEXAS STATE BANK -- NIGHT.

The teller is being comforted by two of her friends. A few VERNON PD OFFICERS mill about. One receives a radio call. He listens then approaches the teller.

VERNON PD

There's an officer with your mama
right now, she's fine. You're
daddy's on his way here.

Marcus and PARKER push through the bank door. The officer spots them and moves in their direction.

VERNON PD (CONT'D)

She's a little shook up. Perp took
her driver's license. Threatened
her family if she talked to us. Had
a hell of a time finding them. Mama
works in Wichita Falls and her
daddy works on the Waggoner ranch.

MARCUS

That a fact.

They reach the girl.

MARCUS (CONT'D)

What's your name, young lady?

TELLER

Natalie. Martinez.

MARCUS

There's gonna be officers watching your house extra careful till we catch these buggers, I give you my word.

NATALIE

There's more than one??

MARCUS

... Only one man robbed the bank?

She nods yes.

NATALIE

Dressed like a cowpoke, 'cept for the ski mask.

MARCUS

Gloves?

NATALIE

Like a surgeon wears.

PARKER

Other waiting in the car, maybe?

MARCUS

That's not the way they been doing it. Why change what works?

NATALIE

He ran to a car parked out front of the cafe.

They both turn.

PARKER

You saw the car?

She nods again.

NATALIE

Green, four doors.

PARKER

How old? Late model --

NATALIE

I don't know cars, mister.

MARCUS

Was it a nice car, an okay car, or a real piece of shit?

She looks him dead in the eye.

NATALIE
A real piece of shit.

MARCUS
Now we're getting somewhere. (Turns
and sees the bank manager) That
looks like a man who could
foreclose on a house.

Walks up to him.

MARCUS (CONT'D)
You the bank manager?

BANK MANAGER
Yessir, I am.

MARCUS
Didn't happen to have your
surveillance cameras on this
morning, did you?

BANK MANAGER
Of course.

Beat.

MARCUS
So you got the robbery on video.

BANK MANAGER
Of course we do. What kind of bank
would we be if we didn't have video
surveillance?

MARCUS
First Texas Bank. (Turns to PARKER
and winks) We have video. Care to
give it a watch while I wander over
to the cafe?

PARKER
Would you order me something while
you're there? I'm starving.

MARCUS
I doubt they serve pemmican.

PARKER has had enough.

PARKER
You know, I'm half Mexican too.

MARCUS

I'll get to that when I'm out of Indian insults. But it's gonna be a while.

Marcus turns and walks out.

BANK MANAGER

You Rangers are an odd bunch.

PARKER

No. Just him.

INT. DINER -- VERNON, TEXAS -- NIGHT.

Marcus steps through the door. The group of old men still sitting in the corner, waitresses peering through the window blinds at the activity across the street.

MARCUS

Evening.

WAITRESS

Howdy.

MARCUS

I guess you're aware of the doings at the bank.

WAITRESS

I did notice.

MARCUS

Any out-of-towners come through today?

The waitress nods.

WAITRESS

Jenny Ann waited on a couple of old boys that ain't from here.

MARCUS

And where could I find Jenny Ann?

WAITRESS

She's in the back. I'll go get her.

She disappears into the kitchen. Marcus turns to the old men. He knows the answer to his question before he asks --

MARCUS

Ya'll been here for a while?

OLD TIMER

Long enough to watch someone rob
the bank that's been robbing me for
thirty years.

MARCUS

You say you saw them?

OLD TIMER

Saw the guy running from the bank.

MARCUS

What'd he look like?

OLD TIMER

Had a mask on. But he ran pretty
good, so I'd gather he's youngish.

MARCUS

That so ... What's youngish in your
book?

OLD TIMER

Younger'n you and me, but older
than all these little girls running
around here pouring tea. Pretty
sure they was sitting right over
there, having lunch.

MARCUS

That a fact. Can you describe them
any better than youngish?

OLD TIMER

Tall, both of 'em. Lean, like
cowboys. Looked like brothers if
you ask me. One had a mustache and
scruff, other one was clean shaved.
Scruffy one looked like trouble.
Other one just looked like a old
country boy.

Jenny Ann walks up to him. Looks at his badge.

JENNY ANN

Texas Ranger?

MARCUS

Yes ma'am. Tell me bout these
handsome young strangers you waited
on.

JENNY ANN

Who said handsome?

MARCUS

I did. Based on the fact you didn't meet me in the parking lot hollering about the two out of towners eating here right before a bank robbery.

JENNY ANN

They never mentioned they was robbing the bank.

MARCUS

Pay cash for their dinner?

JENNY ANN

That a crime now?

MARCUS

How much they leave?

Beat.

MARCUS (CONT'D)

How much.

JENNY ANN

Two hundred dollars.

MARCUS

Can I see the bills they paid with?

JENNY ANN

Not a chance in hell.

MARCUS

That's evidence.

JENNY ANN

It's evidence if they're the bank robbers. Till then it's my tip.

Her eyes grow fierce.

JENNY ANN (CONT'D)

And half my mortgage. So you go get a warrant and come after the money I'll be using to keep a roof over my daughter's head.

She turns and shakes her big ass back to the kitchen. The old men laugh.

OLD TIMER

She's a tiger, that one.

PARKER comes through the door.

PARKER

Just one man hit the bank, like she said. Checkered button down shirt. Jeans. Ski mask. That's about all the video tells us.

Marcus looks over at the old timer.

OLD TIMER

Yep. Checkered shirt. That's him.

MARCUS

(Pointing to the table by the window) They was eatin' right over there. Tipped her two hundred dollars.

Marcus smiles as he looks toward the kitchen.

MARCUS (CONT'D)

Go wrestle a description from the sassy fat girl in the kitchen. And get that tip from her. We're gonna check them bills.

OLD TIMER

(To PARKER) Good luck.

MARCUS

Yeah, I'd expect some resistance ... And call that Best Western on 287 and grab us a room.

PARKER

We're stayin' the night?

Marcus smiles.

MARCUS

This is where all the action is.

PARKER shakes his head and moves toward the kitchen.

OLD TIMER

Sure seems foolish ... The days of robbing banks and living to spend the money's long gone, ain't they? ... Long gone for sure.

His friends nod in agreement, almost sadly. Marcus looks them over, knowing they will be dead in a few years -- knowing tea and dominos and death is his future too.

CUT TO:

INT. CHEVY BLAZER -- NIGHT.

Toby drives, Tanner is sprawled out in the front seat. Yellow lines race underneath the hood in the dim glow of the headlights.

TANNER

What does Justin want to do when he's grown?

TOBY

Right now he's just focusing on slinging a football for A&M.

TANNER

That's what did me in.

TOBY

He's a lot like you.

TANNER

Bet that puckers yer red eye.

Toby smiles.

TOBY

More than you know.

TANNER

Forty two years of life, ten of em in prison ... If he'll just turn left where I turned right, he'll be okay.

George Strait comes through the speakers.

TANNER (CONT'D)

"COLD FORT WORTH BEER, JUST AIN'T NO GOOD FOR JEALOUS --

Tanner leans into him, close to his ear.

TANNER (CONT'D)

"I TRIED IT NIGHT AFTER NIGHT."

Toby tries to suppress a grin.

Beat.

TOBY

If you don't think we can get away
with this, why'd you agree to do
it?

Tanner lights a cigarette. Cracks the window.

TANNER

Cuz you asked, little brother.

Toby looks at Tanner -- a living testament to self
destruction -- and absorbs both the simplicity and weight of
the statement.

The neon lights of THE COMANCHE RED RIVER CASINO invade the
night sky and flood the road with yellows, reds, and greens.
Tanner comes to life at the sight.

TANNER (CONT'D)

My God that's pretty. How we
entertained ourselves before they
let Indians open casinos, I'll
never know.

TOBY

Just ... We're here to change the
money, not lose everything at the
blackjack table.

TANNER

Blackjack's for old women. I'll
leave that to you -- hold 'em,
baby. TEXAS HOLD 'EM YOU SONS OF
BITCHES!

Toby can't help but smile as the virus of Tanner's excitement
invades him ...

CUT TO:

INT. COMANCHE RED RIVER CASINO -- NIGHT.

The chimes of slot machines fills the air as does the energy
of people desperate to win what they can't earn.

Toby and Tanner stand in line to check in. Tanner is almost
childlike with anticipation.

TANNER
Get drunk with me.

TOBY
I'm not gettin' drunk --

TANNER
OH, MAN ROBBING BANKS IS HARD WORK,
I'M PLUM WORE OUT FROM --

TOBY
You think that's funny?

TANNER
We're gonna remember this forever,
Toby.

Tanner smiles like a child.

TOBY
This ain't supposed to be fun.

TANNER
Well, it's gonna be.

It's their turn. An attractive front desk clerk greets them.

CLERK
Welcome to the Comanche Red River
Casino, do you have a reservation?

TANNER
We do not -- dear lord, look at you
--(Pretends to adjust a neck tie)
we would be obliged if you would
provide us accommodations, though
we failed to call ahead.

The clerk smiles.

CLERK
He's gonna be feisty, isn't he?

TOBY
That's one way of putting it.

There is a stack of books displayed at the check in. A black and white photo of the great Comanche Chief QUANAHA PARKER on the cover. Tanner notices and points to the title --

TANNER
Lords of the Plains.

Tanner grabs a copy.

TANNER (CONT'D)
We'll take this too. You Comanche?

CLERK
I am.

TANNER
Is that right.

His eyes penetrate her, she blushes.

CLERK
We just need a, umm ... credit card
for incidentals and if you could
fill out these...

She hands them room forms.

TOBY
We'll be paying cash.

CLERK
We still need a credit card for
authorization.

Tanner puts a thousand dollars on the counter.

TANNER
How bout we leave Mastercard out of
it.

He winks at her.

CLERK
You're trouble.

TANNER
The worst kind, darlin'. In your
last days at the nursing home,
you'll think of me and giggle.

She doesn't wait for the nursing home -- she's giggling now.

CUT TO:

INT. BAR -- COMANCHE RED RIVER CASINO -- NIGHT.

We stare into a shot glass. It's raised and thrown toward us,
past us. We turn around and watch Toby and Tanner slam shot
glasses on the counter.

Toby winces, Tanner could drain a bottle.

TANNER
NOW WE'RE TALKING.

TOBY
(To the bartender) Can I grab a
beer?

TANNER
Man, look at the women in this son
of a bitch.

We take a look around and have no idea who Tanner is referring to. The women we see are either obese or beaten by the sun and alcohol to the point they look leather.

TOBY
You're kidding me, right?

TANNER
Let's get another shot... They'll
be pretty soon enough. BARTENDER!
WHISKY IF YOU PLEASE!!!

Shots are poured. Tanner grabs his and raises it.

TANNER (CONT'D)
To your boys. And the future we're
giving 'em.

Toby reluctantly raises his glass. Tanner touches his to Toby's. Then slams it back.

TANNER (CONT'D)
Let's change this money and have
some fun.

CUT TO:

INT. BEST WESTERN -- VERNON, TEXAS -- NIGHT.

LARRY KING is interviewing PARIS HILTON.

LARRY KING
And how old is Tinkerbelle?

Beat.

PARIS
I don't umm ... I don't know. Old,
like eight or something.

PARKER (O.S.)
 Why couldn't we drive back to
 Abilene?

MARCUS (O.S.)
 Cuz they ain't robbing banks in
 Abilene.

LARRY KING
 And she's the focus of your new
 book called...

PARIS
 Tinkerbell.

PARKER (O.S.)
 You mind if I change the channel
 before my head explodes?

Marcus and PARKER lay in separate queen beds, wearing their undershirts and staring at the boob box.

MARCUS
 Sure.

PARKER surfs. Finds PAT ROBERTSON screaming about Obama and Satan. One in the same, based on Pat's diatribe.

MARCUS (CONT'D)
 We ain't gonna watch this, are we?

PARKER
 Ain't you Christian?

MARCUS
 I am, but I ain't stupid. God
 doesn't talk through this man any
 more than he does through my dog.

PARKER
 Then maybe you should give your dog
 a listen.

MARCUS
 Ain't you Indian? You're supposed
 to be burning sage and dancing
 around the bed whooping like a bee
 stung you.

PARKER
 I'm Catholic.

MARCUS

I'd rather dance around a fire with
a spear -- hell, I'd rather you
stab me with a spear than watch
this. Change the channel.

PARKER

I'd like a little God in my ears
before I go to sleep --

MARCUS

Then open the window and listen to
the wind.

PARKER changes the channel to ESPN.

PARKER

Happy?

They are replaying highlights from the University of Texas's
first game of the year.

MARCUS

This is what God watches.

PARKER clouds.

PARKER

Don't worry, they'll have soccer
highlights soon enough. That's for
your Mexican half.

PARKER turns from the TV. Buries his head in his pillow.
Marcus is glued to the tube.

MARCUS

Look at that boy run. Longhorns
gonna have a good team this year.
I'll never understand that soccer.
Anything a five year old can do
ain't a sport.

PARKER shifts in the bed.

MARCUS (CONT'D)

Who invented soccer, the Aztecs?
Kicking around skulls or something?
That sounds like a Comanche sport.

PARKER tosses the remote in Marcus's general direction.
Marcus grabs it and cradles it like an egg. Victorious.

PARKER

In three weeks you can watch TV all day.

MARCUS

You know what's funny, Alberto?

Beat.

PARKER

... What.

MARCUS

In a year's time, it's my teasing you'll miss. It's what you'll laugh about when you stand over my grave and wish me well.

PARKER

God, I hope that's tomorrow.

Marcus gives a hearty laugh.

MARCUS

That's a good one. You'll get the hang of this yet.

PARKER pulls the covers up higher, trying like hell not to like this old bastard.

CUT TO:

INT. COMANCHE RED RIVER CASINO -- CHIP WINDOW -- NIGHT.

Toby counts out one, two, three, four, five thousand dollars in twenties and tens.

He looks at the window teller and lies.

TOBY

Sorry. I sold my car and this is how the fella paid me.

WINDOW TELLER

We take it any way you bring it, mister.

She takes the money, puts it in a money counter, and slides him ten thousand dollars in chips.

WINDOW TELLER (CONT'D)

(Knowing it won't help) Good luck.

They walk from the window. Toby hands his brother a chip tray.

 TOBY
Just like that. No trace. Don't
lose it all.

 TANNER
Take your own advice.

 TOBY
I don't gamble.

Tanner has a laugh at that.

 TANNER
You wanna come to the poker table?
Can't no one lose money at poker,
not even you.

 TOBY
I'm gonna watch the Aggie game and
have a beer.

 TANNER
Suit yerself.

And Tanner's off. Toby looks around. He heads to the bar. Orders a beer and looks out over the casino.

INT. COMANCHE RED RIVER CASINO -- POKER TABLE -- NIGHT.

Tanner is at the no limit hold 'em table, an enormous stack of chips before him -- he's almost doubled his money.

Cards are dealt. Tanner peaks at his. Pocket Cowboys.

The betting starts. Everyone calling the initial bet of \$200.00. Everyone but Tanner, who raises to a thousand.

All eyes are on him. He meets them with a 'try me' look. None do.

The chips are pushed toward him.

He smiles. A winner ...

INT. COMANCHE RED RIVER CASINO -- BAR -- NIGHT.

Toby sits at the bar, watching a football game. Beside him sits a woman, clearly a hooker, though a decent looking one.

She stares at his chip trays. She slides a few bar stools toward him.

HOOKER
Quite a stack.

Toby looks over at her. It's clear what she is, but she manages to make that part of her appeal.

TOBY
Yeah, been pretty lucky.

She slides closer.

HOOKER
No. When lucky men win, they hurry home like a scalded dog. Men that can gamble and keep their money ... That's a smart man.

He looks her in the eye.

TOBY
Not much of a character study, are you?

HOOKER
Sweetheart, studying character's my profession.

TOBY
That's not the profession I was figuring for you.

She smiles and leans into him.

HOOKER
No? What did you figure?

INT. COMANCHE RED RIVER CASINO -- POKER TABLE -- NIGHT.

Tanner's chip stack has grown even more. And right now, he's a got a fair pile in the middle.

He has a five and six of clubs. On the flop we see a seven of hearts, an eight of diamonds, and a nine of spades. Tanner flopped the straight.

He tosses more chips in the pot, running everyone else off, but -- A GIGANTIC, COMANCHE MAN in his 50's. Sunglasses.

The BIG MAN stares at the flop. Looks at Tanner. Tanner smiles. The BIG MAN calls him.

Fourth street: jack of Diamonds.

Tanner throws five hundred in the pot.

TANNER

Don't chase me, chief. I'm already there.

Mirrored shades stare back. 'Chief' didn't sit well. He raises him 500. Tanner laughs and calls.

The dealer tosses the river card: a five of diamonds. Tanner knows he just got beat. So does the BIG MAN.

BIG MAN

I check to the chief.

Tanner's eyes run cold. He stares at the BIG MAN. The BIG MAN removes his glasses: five centuries of hate stare back.

Tanner looks like he might kill this man right here. In front of everyone. And the BIG MAN looks ready for it.

The dealer says possibly the worst thing he could at the absolute worst time:

DEALER

Bet's to you, sir.

Tanner ignores him.

TANNER

You Comanche?

The BIG MAN nods.

TANNER (CONT'D)

Lords of the Plains.

BIG MAN

Lords of nothing now.

Beat.

TANNER

I bet a thousand.

Beat.

BIG MAN

You can't beat me.

TANNER

I know.

BIG MAN
What if I raise?

Tanner smiles an evil smile.

TANNER
Be careful.

The BIG MAN knows the raise was an apology. He also knows if he raises, he'll have to fight this lunatic for his life.

BIG MAN
I call.

The dealer lets an audible sigh of relief.

DEALER
Show your cards, gentlemen.

The BIG MAN turns over his flush.

TANNER
What's the Comanche word for
warrior?

The BIG MAN smiles.

BIG MAN
Comanche. We are all warriors.

Tanner nods. Stands.

TANNER
I'm a warrior too.

BIG MAN
Hope you fare better than we did.

TANNER
Doing okay so far.

Tanner grabs his chip trays and rises. The BIG MAN puts his sunglasses back on.

BIG MAN
Know what Comanche means? It means
'enemies forever'.

TANNER
Enemies with who?

BIG MAN
Everyone.

Tanner takes that in.

TANNER
Know what that makes me?

BIG MAN
An enemy.

TANNER
No.

Tanner leans across the table, inches from the BIG MAN's face. Whispers like he's telling him a secret.

TANNER (CONT'D)
It makes me a Comanche.

Tanner looks into the mirrored shades, his own reflection staring back. He rises and walks away.

INT. COMANCHE RED RIVER CASINO -- BAR -- NIGHT.

The hooker sits next to Toby now, pressing her bare leg against him. He isn't used to women this attractive who are this aggressive. He teeters between wariness and fascination.

HOOKER
How old is he?

TOBY
Fourteen.

HOOKER
Does he look like you?

TOBY
I see his mama in him, everyone else sees me ... I don't know.

HOOKER
He's lucky if he does, I'll say that.

She leans into him, her lips against his ear.

HOOKER (CONT'D)
You staying in the hotel?

TOBY
... Yeah.

She purrs.

HOOKER

Take me to your room.

He looks at her, knows he's being worked. But it feels so good to have a woman next to him. It's been so long.

TOBY

Look, I'm, thank you, but ... I'm not here for me.

As foolish as it sounds, he says it anyway:

TOBY (CONT'D)

I'm trying to do something noble for once, and --

She puts a finger to his lips, then lets that finger run down his lip to his chest.

HOOKER

There's no shame in needing the touch of a woman.

She puts a hand to his cheek.

HOOKER (CONT'D)

You need it, I know you do. How long has it been? (She is inches from his mouth) Let me touch you --

Something jerks her away. Toby looks up to find: Tanner has her by the arm.

TANNER

Tryin' to work my little brother, are you?

As an astute judge of character, she knows instantly what kind of man she is now dealing with, and acts accordingly: which is to say submissive and scared to death.

HOOKER

I wasn't doing anything but --

TANNER

But but but. You spied that stack of chips and saw an easy mark -- don't get me wrong, no one likes a whore more than I do(he pulls her close), But those are my chips, you wanna try and steal from me?

She shakes her head 'no'.

TOBY

She wasn't doin' nothing.

Tanner stares into the eyes of the terrified young woman.

TANNER

Gonna get him in a room and what,
call your pimp and roll him? Drug
him, what?

TOBY

Hey, come on --

HOOKER

No, I --

Tanner looks around the empty bar, still gripping the
hooker's arm.

TANNER

Where is he? Where's the man that
holds your leash?

No one in the bar fits the bill. The bartender watches them
while pretending he isn't.

TANNER (CONT'D)

Maybe we'll just sample the goods
real quick.

Tanner peels off a couple of hundreds from his wad, works his
hand up her dress, looking her in the eye, while he runs the
money inside her underwear.

Toby stands up. Grabs Tanner's arm and pulls it back.

TOBY

Let her go.

TANNER

(Into her ear) Merry Christmas.

She steps back from both of them, turns, and hauls ass.

HOOKER

You're fucking crazy.

TANNER

Call me!(whips Around to Toby) What
are you doing?

TOBY

How the fuck have you stayed out of
prison for a year??

Big grin from Tanner.

TANNER

It's been a challenge (Sizes up his brother) Let's go change it back then ... Fun's all over now.

TOBY

Not supposed to be fun.

TANNER

Well you're goddam makin' sure of that.

Tanner walks off. Toby scans the bar, exhales, then reluctantly follows.

INT. COMANCHE RED RIVER CASINO -- CHIP WINDOW -- NIGHT.

They cash in their chips, now totalling twenty nine thousand dollars.

WINDOW TELLER 2

You'll need to fill out this tax form. Over twenty thousand, you have the option of receiving your money in a cashier's check.

TOBY

I'll take ten in cash. The rest in a check.

WINDOW TELLER 2

You want that made out to you?

TOBY

No. First Texas Bank.

She places a check in the check printer, hits a button, and voila -- money laundered. She hands the check and cash to Toby.

TOBY (CONT'D)

Let's go to the room.

TANNER (O.S.)

I think that's one hell of an idea.

Toby turns back and follows Tanner's gaze to the pretty hotel clerk -- now in street clothes -- smiling at Tanner, and walking toward him.

CUT TO:

INT. BEST WESTERN -- VERNON, TEXAS -- NIGHT.

Marcus wakes to a terrible pain in his upper chest. He sits up. Reaches for a bottle of Tums on the night stand. Grabs a hand full.

PARKER

You okay?

MARCUS

Heart burn. I'll be fine.

Marcus rises, goes to the sink. Gets a drink. The pain hits him. Tries to shake it off. Stares at himself, suffering in the mirror.

EXT. BEST WESTERN -- VERNON, TEXAS -- NIGHT.

Marcus, dressed in his undershirt, jeans, and boots, steps outside and walks toward the field behind the motel. He looks out over the mesquites and cactus.

The warm air helps. Or maybe its just the walk. He looks up at the sky -- clouds and ten thousand stars carpet the night.

An owl hoots. Flies over him. He watches the dark image move silently over him.

Marcus walks toward a barbed wire fence, rests against it. The warm air blows against him, pushing him like a tattered sail. Marcus looks to the stars as he leans into the wind and tries to laugh off his suffering.

MARCUS

This is the thanks I get? Rotting
from the inside out. After all I
done for you ...

He looks out over the mesquites, who answer back in an angry whistle as the wind whips through their leaves.

CUT TO:

INT. COMANCHE RED RIVER CASINO -- HOTEL ROOM -- NIGHT.

Toby brushes his teeth as Tanner lays in bed, the hotel clerk beside him, reading LORD OF THE PLAINS.

TANNER

Boy, you Comanches were the real
deal.

(MORE)

TANNER (CONT'D)

(To Toby) You wanna hear what they did to the people they took captive?

TOBY

No.

TANNER

Damn right you don't. Not a inch of mercy in them. (To the girl) You gonna show me any mercy, darlin'?

CLERK

Not an inch.

TOBY

You're right ... I'm gonna go see my boys tomorrow.

Toby climbs into his bed and rolls away from Tanner and the clerk. Tanner clicks off the lamp. The clerk climbs on top of him. Though she still wears her shirt, she is completely naked from the waist down. She presses her pelvis into him as she kisses him deeply.

CLERK

I'm expecting a lot from you.

Tanner presses into her and she moans.

TANNER

What do you call that?

Toby knows there will be no sleep with this a bed over. He sits up, pulls his jeans back on ...

EXT. COMANCHE RED RIVER CASINO -- NIGHT.

Toby walks through the parking lot, past semi's and motor homes, toward the edge of the prairie. From here, it extends out forever.

He walks through the grass, looking up at the same stars Marcus pondered. Looks back at the casino, its harsh neon lights violating the horizon.

He turns back to the solace of the dark plains, and keeps walking ...

EXT. BEST WESTERN -- VERNON, TEXAS -- DAWN.

Marcus sits in a cheap lawn chair in front of the motel, watching the sun come up over the highway.

A few trucks blast by as he watches.

The motel room door opens. PARKER stands in boxers and a t shirt.

PARKER
What're you doing?

Marcus talks without looking back at him.

MARCUS
Watching the sun rise. Sitting on a porch. Practicing for my future.

PARKER
It's a dangerous thing we do for a living. You're lucky to have seen it through to the end. Hope I'm that lucky.

MARCUS
Without me by your side, I doubt you'll get close enough to a criminal to ever be in danger again.

PARKER's face clouds.

PARKER
Just when I was staring to feel sorry for you.

Marcus stands, and looks at PARKER for the first time.

MARCUS
Indians ain't supposed to feel sorry for cowboys. It's the other way around.

PARKER looks into Marcus's eyes, red and swollen from crying.

Marcus brushes past him and walks into the motel room.

EXT. USED CAR LOT -- LAWTON, OKLAHOMA -- DAWN.

We stare at the engine of a red Pontiac Grand Am as it revs. Toby is beneath it with a flashlight, studying. It is far too early for anything legal to be happening on a used car lot.

TOBY
Put it in gear.

We hear it kick into drive.

Toby stands up.

TOBY (CONT'D)
Sounds good. Let me give it a spin.

Tanner gets out of the driver's seat. Toby gets in and drives the Pontiac off. Standing across from Tanner is BUSTER MEADE, 45, used car salesman in every sense.

BUSTER
We doing this one the same?

TANNER
You got plates for it?

BUSTER
Ain't got no more Texas plates. I got Arkansas, Kansas, New Mexico --

TANNER
New Mexico works. Don't report this stolen till Friday.

BUSTER
Friday, okay.

Toby pulls back in.

TANNER
How is it?

TOBY
Runs good. Don't like that it's red.

TANNER
He's got New Mexico plates for it, though.

Toby takes that in.

TOBY
Okay.

TANNER
We're in business.

Buster walks off to start the paperwork. Tanner goes to the Blazer, grabs the duffel and the rifle cases, and tosses them in the Grand Am.

TOBY

You okay meeting the guy from Chevron by yourself?

TANNER

You okay seeing Debbie by yourself?

TOBY

I'll manage. Remember, this guy ain't the enemy.

TANNER

Oh, the oil man's the enemy, make no mistake, he just ain't ours.

TOBY

I'll be back to the ranch by dark.

TANNER

I'll be there.

TOBY

(Points at the Grand Am) Arrest me red. You better drive like a school teacher.

Toby climbs in the Blazer and drives off.

CUT TO:

INT. THE T-BONE CAFE -- COLEMAN, TEXAS -- DAY.

Marcus and PARKER sit at a table. The ceilings are easily twenty feet high, old cedar beams criss crossing it, ceiling fans hanging down, circulating hot air. Through the large bay window, we see a FIRST TEXAS BANK.

On the wall hangs a plaque dedicated to the soldiers from Coleman who have fought and died for this country. So many names, one would think the whole town died for our freedom.

PARKER

What's the plan?

MARCUS

We're gonna watch that bank like a deer feeder ...

Marcus scans the restaurant, looks out the front window and over the little square with almost no life in it.

MARCUS (CONT'D)

This little town fits their bill,
based on the ones they hit so far.
Got a bank and not much else. So
we'll just sit here and wait. In
time we'll be right.

A waitress, she must be ninety years old, walks up.

WAITRESS

Ya'll are a might early for lunch,
ain't you? It's not even eleven.

MARCUS

Howdy ma'am. How are you today?

She casts a mean glare at Marcus.

WAITRESS

Hot. And not the good kind. What
don't you want?

MARCUS

Pardon?

WAITRESS

What don't you want?

MARCUS

Well, I was thinking I'd just get
the --

WAITRESS

I been working here forty-four
years. Only thing anyone's ever
ordered is the T-Bone steak and a
baked potato. 'Cept some asshole
from New York who tried to order
trout in 1987. We don't sell no
goddam trout. Don't have nuthin but
T-bones. So, you either don't want
the corn on the cob, or you don't
want the green beans, so what don't
you want?

MARCUS

I don't want green beans.

She looks at PARKER.

PARKER
I don't want green beans either.

WAITRESS
Steaks cooked medium rare.

PARKER
Could I have mine --

WAITRESS
That weren't a question.

Beat.

WAITRESS (CONT'D)
Tea for you boys to drink.

PARKER
Tea's great.

MARCUS
Yes ma'am.

She storms off.

MARCUS (CONT'D)
Tell you one thing. Ain't no one
robbing this son of a bitch ... My
word.

EXT. DEBBIE'S HOUSE -- CHILDRESS, TX -- DAY.

DEBBIE HANSON, late 30's, quite the looker four kids ago,
attempts to fold laundry while her 6 month old baby cries.

She surrenders to the screams and picks up the baby.

DEBBIE
What? What? Are you wet?

She checks.

DEBBIE (CONT'D)
Nope ... Your little gums hurt,
that it?

The doorbell chimes. She shakes her head in amazement at the
chaos of her life. She heads to the door. Opens it. Toby
stands there. Anger washes over her face.

DEBBIE (CONT'D)
If you don't have thirty five
hundred dollars I'm calling the --

He holds up the cash.

DEBBIE (CONT'D)
What do you want?

Toby looks at the baby.

TOBY
Who's this?

DEBBIE
One of the few mistakes in my life
you're not responsible for. What do
you want.

Toby takes a minute to digest this.

TOBY
It's been that long since I've seen
you?

DEBBIE
What do you want.

TOBY
Nothing. I'd like to say hi to the
boys if I could.

She motions to the money.

DEBBIE
Do I want to know where that came
from?

TOBY
Not if you want to keep it.

She almost smiles.

DEBBIE
Come on in.

The place is modest on its very best day. But it is tidy.

DEBBIE (CONT'D)
Put the money on the table and I'll
offer you a beer.

He does.

TOBY
Mama died.

She turns.

DEBBIE

When.

TOBY

Last week.

DEBBIE

Well, good riddance. No offense.
Guess you'll be selling the ranch.

TOBY

It goes to the boys.

Debbie's eyes light a bit.

DEBBIE

Really?

TOBY

It's being put in a trust.

DEBBIE

What's that mean?

TOBY

Means you can't sell it.

Those eyes turn dark.

DEBBIE

Great. Something else I gotta take
care of.

Around the corner comes JUSTIN HANSON, 14, kind face of his father, wild eyes of his uncle. Built to play football. He rounds the corner. Freezes when he sees Toby.

TOBY

(To Debbie) Give me two beers.

EXT. DEBBIE'S HOUSE -- BACK PORCH -- DAY.

Toby and Justin sit on shitty lawn chairs overlooking a yard of weeds.

TOBY

Where's your brother?

JUSTIN

Don't know. A friend's house I
guess.

TOBY
How come you ain't at school?

JUSTIN
Don't start for a week. Just two-a-
days for football right now.

Beat.

TOBY
You should mow this lawn for your
mama.

JUSTIN
Ain't got a lawn mower.

It is awkward. Tense. Might as well get to it.

TOBY
Your grandmother died.

Beat.

JUSTIN
Okay.

TOBY
I'm giving the ranch to you and
your brother. You remember going
out there when you was little?

JUSTIN
Yeah. What am I supposed to do with
a ranch?

TOBY
Anything but sell it.

Toby leans close to Justin. Whispers in his ear.

TOBY (CONT'D)
We found oil on it.

He let's that sit.

TOBY (CONT'D)
You and Randy ain't gonna have to
worry about money no more.

He looks at his boy.

TOBY (CONT'D)
You're gonna hear a lot of things
about me ... And your uncle.
(MORE)

TOBY (CONT'D)

Don't be like us. Be smart. Look out for your brother.

Justin nods.

JUSTIN

Whatever I hear I won't believe.

TOBY

Believe it. Cuz I did all of it. Now you do it different. Don't let your mother have any say in the money you boys get. She got a decent heart, but she can't be trusted where money's concerned ... If I'm not sitting here with you on Friday, tell her everything I just said, okay?

JUSTIN

Okay.

Toby looks at Justin's full beer.

TOBY

Ain't gonna drink it? It's okay.

JUSTIN

You tell me not to be like you then you offer me a beer. Which is it?

Toby smiles.

TOBY

Good boy.

He puts his hand on Justin's shoulder. Justin Lets him.

EXT. HANSON RANCH HOUSE -- DAY.

Tanner sits on the front porch, twelve pack of Bud by his side. Empties litter the ground around him, though he isn't drunk. He's been immune to beer for decades.

Across his lap is the AR 15 assault rifle. He has it mostly disassembled and is in the process of placing three pennies behind the firing pin, making a semiautomatic rifle a machine gun.

He reassembles the rifle and sets it by the scoped 30-06.

Tanner picks up a rifle magazine and begins clicking rounds into it from an army box of easily a thousand rounds.

On the table, we see another twenty rifle magazines, waiting to be fed. As he loads, he sings an old Waylon Jennings song:

TANNER
 LONG AGO AND FAR AWAY. IN MY OLD
 COMMON LABORER'S SHOES ... I TURNED
 THE WORLD ALL WHICH A WAY, JUST
 BECAUSE YOU ASKED ME TOO ...

He sets the loaded magazine down, and picks up another, begins loading, and sings the chorus:

TANNER (CONT'D)
 LET THE WORLD CALL ME A FOOL, BUT
 IF THINGS AIN'T RIGHT 'TWEEN ME AND
 YOU ... IT'S ALL THAT MATTERS AND
 I'LL DO ... ANYTHING YOU ASK ME TO.

Tanner spots the Blazer driving up the dirt road. He walks out to meet it.

Toby stops and gets out. Sees the rifles propped beside him.

TANNER (CONT'D)
 How were your boys?

Toby points to the rifles.

TOBY
 What are you doing?

TANNER
 Insurance. If we can't get enough
 from the branch in Jayton, we're
 gonna have to hit the one in Post.
 Post is a long way from home. The
 branch in Childress, well, can't
 hit the branch there. For obvious
 reasons. And if you don't want to
 hit the branch in Coleman ...

TOBY
 We can't go back to the casino in
 Oklahoma now. Gotta head west,
 gotta be the one in New Mexico.

Toby points to the rifles.

TOBY (CONT'D)
 I don't want all that shit in the
 car and we damn sure don't need it.
 What if we get pulled over?

TANNER

We're running two cars on the next one, brother. They'll ride with me. You head to the casino in Riudoso and I'll head north. They're looking for two. No one robs a bank in separate cars ... It's smart, Toby.

Beat.

TOBY

It is. But I still don't like it.

TANNER

It's not to like, just to do.

Toby points to the rifles.

TOBY

We're not bringing them in the bank... Oil man come by?

TANNER

They're ready to go. When you pay that loan officer he's gotta give you a form that shows a release of lien or something.

TOBY

Okay.

TANNER

You fax it over, and you're done.

TOBY

We gotta go meet the lawyer.

Tanner downs his beer.

TANNER

Waitin' on you.

EXT. RAYBURN LAW OFFICE -- SEYMOUR, TEXAS -- DAY.

Tanner and Toby sit across from BILLY RAYBURN, 40'S, lawyer handsome, and wearing the West Texas version of a suit: Jeans, blazer, and boots.

Billy hands Toby a stack of papers.

BILLY

Initial in the boxes, and sign at the bottom. There's three copies, gotta do the same to each.

TOBY

And this makes you the executor.

BILLY

It does.

TOBY

So no matter what they charge us with, they can't take it away.

BILLY

There's no way to trace funds from a casino. Once you get the checks to the bank, the trust is untouchable.

TANNER

And you can't tell nobody nuthin', right?

BILLY

What's to tell? You boys won the money gambling, right?

Tanner smiles.

BILLY (CONT'D)

Thirty two thousand pays off the reverse mortgage and those bastards paid the property taxes from 2007 to now, that's another eleven thousand. Forty three thousand and you're free and clear. Have the loan officer fax me the lien release and I'll get it over to the lease manager at Chevron.

He hands Toby a business card.

BILLY (CONT'D)

Fax number's on the card.

TOBY

Okay.

TANNER

How much you gonna make off this deal?

BILLY
Not near as much as I'm risking.

TANNER
Then why do it?

He looks at Tanner.

BILLY
How long we known each other?

TANNER
Since ... I don't know. Always.

BILLY
... It's the insult of it. That ranch is worth a half million without the oil, but they loaned the least they could get away with, just enough to keep your mama poor, on a guaranteed return. Thought they could swipe that land from you boys and suck on that oil for twenty five thousand dollars. It's just so arrogant it makes my teeth hurt ... To watch you pay those bastards with their own money ... (He laughs at the thought) If that ain't Texan I don't know what is.

Toby stands and offers his hand.

TOBY
Thank you.

BILLY
They can foreclose on Friday. Come hell or high water you be at the bank in Childress before they close Thursday. And knowing them fuckers, they'll close early.

TOBY
We'll be there.

They rise to leave.

BILLY
Toby. The trust needs to be managed by a bank ... You really wanna cover your tracks?

Billy smiles.

EXT. T BONES CAFE -- COLEMAN, TEXAS -- DAY.

The sun is setting as Marcus and PARKER sit on a bench under a Texas Porch that runs the length of the block.

MARCUS

All these little towns. Dying. What do you think'll happen to 'em?

PARKER

This is your plan? Just sit here and see if this is the branch they rob next ...

Marcus looks over at him.

MARCUS

Not much of a thinker, are you?

PARKER

Do you want to live here? Old hardware store that charges twice what Home Depot does? One restaurant with a rattlesnake for a waitress? How are you supposed to make a living here?

MARCUS

People made a living here for a hundred and fifty years.

PARKER

People lived in caves for a hundred thousand years, but don't do it no more, and they're the better for it.

Beat.

MARCUS

Maybe your people did.

Marcus smiles.

PARKER

You're people did too. Long time ago, your ancestors was the Indians and someone else came along and killed 'em or broke 'em down and made you into one of them. A hundred and fifty years ago, all this was MY ancestors' land. Everything you can see.

(MORE)

PARKER (CONT'D)

Everything you saw yesterday. This was all Comancheria. Till the grandparents of all these folks took it. Now it's being taken from them. Except it ain't no army doing it. (PARKER points at the bank) It's that son of a bitch, right there.

Marcus studies his partner.

MARCUS

And here I am thinking you was slow as a two-legged turtle.

PARKER

I may be. But that don't make it any less true.

Silence.

MARCUS

These boys should've hit this branch by now.

PARKER

Then why are we still sitting here?

MARCUS

Just cuz ... I like this little town.

PARKER

I know what you're doing. You're tryin' to make this last as long as you can. Cuz the longer it lasts the farther you are from your front porch ... That ain't fair --

MARCUS

To who? The bank? Only thing we can do is wait for these boys to make a mistake, and so far they ain't. So relax. Enjoy this little town. From everything I see, it'll die long before I do.

They look out over the empty square, watching squirrels feasting underneath the pecan trees in the empty town square as the sun dips below the horizon.

CUT TO:

EXT. HANSON RANCH HOUSE -- NIGHT.

Toby and Tanner sit on the porch, staring at the stars as a pack of coyotes whimpers and yips somewhere in the distance.

TANNER
Thinking about tomorrow?

TOBY
Ain't you?

Tanner shakes his head.

TANNER
That little hotel clerk. Why's it always the sweet ones that's such devils when you get 'em revved up?

TOBY
I don't know. Never been with a sweet one.

Tanner laughs.

TANNER
That's right. You like 'em pissed off and looking for someone they can blame it on.

Toby smiles.

TOBY
Sure seems that way, don't it?

TANNER
This is a good thing you're doing. You know that?

TOBY
We're doing it.

Tanner grins and winks.

TOBY (CONT'D)
Go easy on the tellers tomorrow, okay?

TANNER
I'll be as gentle as young nurse.

Tanner stands up, stretches, and yawns.

TANNER (CONT'D)

Wake me up at five.

TOBY

Yep.

Tanner disappears inside. Leaving Toby alone. He sits back, his mind running all the possibilities. How it can go right. How it can go wrong.

CUT TO:

EXT. T BONES CAFE -- COLEMAN, TEXAS -- NIGHT.

The crickets are chirping so loud, it echoes off the old, stone building. It doesn't appear Marcus has moved in hours, still staring out over the square. Across the way, PARKER is carrying his suitcase into a motel.

Marcus takes out his can of Copenhagen, packs it, and places a pinch in his cheek. Ready for a long night of reflection.

INT. HANSON RANCH HOUSE -- KITCHEN -- NIGHT.

The wall clock says ten after five in the morning. Toby sits, dressed like a gang banger, pistol and three magazines for it on the table. He sips coffee as Tanner walks in dressed the same.

TANNER

I'll never understand how those gang bangers can walk around with their pants like this, dangling off their asses. No wonder they always get caught when they run from the police.

Toby slides him a cup of coffee. Tanner sits. They drink their coffee in silence.

TOBY

Want some breakfast?

Tanner thinks that one over.

TANNER

Yeah. Breakfast sounds good.

Toby stands and heads to the fridge. Pulls out bacon and a carton of eggs. Crosses over to the stove. Tanner watches his brother as he cooks.

TANNER (CONT'D)

Did you do this for mama?

TOBY

Every morning. She didn't eat much the last month.

TANNER

Did you used to cook breakfast for your boys?

Toby stops.

TOBY

Yeah ... Been a long time, though.

Tanner sits back in his chair, like a child, patiently waiting for his meal.

TANNER

You do the bacon first, then the eggs in the grease, right?

TOBY

Yep. That's the way.

Tanner watches his brother and sips his coffee as the bacon begins to sizzle.

CUT TO:

EXT. TEXAS HIGHWAY -- DAWN.

Two cars move toward us. The blazer and the Grand Am. Headlights on, though morning is breaking. They come closer. Closer ...

EXT. T BONES CAFE -- COLEMAN, TEXAS -- DAY.

PARKER stands over us, looking down at something, shaking his head in disbelief at --

Marcus, asleep on the bench, chin to his chest.

PARKER

For someone who don't want to spend his days sittin' on his porch, you sure don't mind lounging on everybody else's.

Marcus stirs. Looks up at PARKER who hands him coffee in a Styrofoam cup..

MARCUS

Just ... Didn't see the point in walking all the way to the motel just to walk back here in the morning.

PARKER

Who's not much of a thinker now?

PARKER sits beside him.

PARKER (CONT'D)

Restaurant don't open for another hour.

And the two men begin their day where the last one ended, staring at the empty square.

EXT. FIRST TEXAS BANK -- JAYTON, TEXAS -- DAY.

Toby and Tanner stand in front of the bank, ski masks on. They don't move. Just stare straight ahead.

We look over their shoulder and see why:

The Jayton Branch is closed. Doors wrapped in chain and locked. Windows covered with large plywood boards.

TOBY

Shit.

TANNER

We gotta hit the branch in Post.

TOBY

We won't get there till after ten.

TANNER

We don't got a choice. Gotta have that money to the branch in Childress before they close tomorrow.

Toby shakes his head as he pulls off his mask.

TOBY

We don't know Post. Don't know the patterns of the folks out there.

TANNER

Pattern's the same as it is everywhere. All these towns is dead. Post ain't no different. Let's go.

They turn and walk out of frame, leaving us to stare at the closed bank in a closed town.

INT. T BONE'S CAFE -- DAY.

Marcus and PARKER sit sipping coffee, looking over a map of Texas.

MARCUS

First two banks were First Texas branches. There's seven total: main branch in Fort Worth, and they ain't messing with that. The branch in Olney they hit, the one in Archer City they hit, the one here, the one in Childress, Jayton --

PARKER

That one's closed.

MARCUS

Okay. That leaves the branch in Post. Childress is a decent sized town, I don't think they'll mess with that.

PARKER

The branch in Vernon wasn't First Texas and they hit that.

MARCUS

One of 'em did. Alone. And then ran all the way across the square to get back to the car. I think his partner had no idea that was gonna happen.

PARKER

What does that mean to us?

MARCUS

It means the only other First Texas branch that fits the bill is in Post.

PARKER

There's plenty of little banks in other towns --

MARCUS

And they'd have robbed 'em by now if they was interested in other banks, but they ain't. They're after First Texas's money and that's the only place they can get it that makes any sense.

PARKER

It's three hours away. If you wanna head that way we should get on the road.

They both stand, Marcus tossing a twenty on the table.

MARCUS

Let's get some troopers moving in that direction ... I'm feelin' lucky.

They move off toward the door, pushing it open, and flooding the restaurant with the blinding Texas sun.

EXT. STATE HIGHWAY 308 -- DAY.

The Blazer and Grand Am drive through the ragged land below the CAP ROCK: a geological marvel where the great plains plummet four hundred feet along a fault line, creating a cliff that dissects West Texas.

On one side of the road is an endless wall of red dirt. On the other: land so broken it looks as though God stabbed it repeatedly with two giant shovels, punishing it for some unknown offense.

The cars breeze by us, the Cap Rock wall towering beside them.

EXT. HIGHWAY 308 -- OUTSIDE POST, TEXAS -- DAY.

Both vehicles pull off the road. Toby gets out of the Blazer and jogs to the Grand Am. He gets in. The Pontiac pulls back on the road, past a sign that reads:

POST - 3 MILES.

EXT. MAIN STREET -- POST, TEXAS -- DAY.

There are actual signs of life here. A few cars in front of the grocery store. Pick up trucks in front of the diner. Cars and trucks at the gas station.

The FIRST TEXAS BANK sign looms in the distance.

INT. GRAND AM -- CONT.

 TOBY
This town looks busy.

 TANNER
Little bit. Look at the bank
though. Not a car in front of it.

 TOBY
We do this quick.

 TANNER
Gotta take the hundreds this time.

 TOBY
Make sure they fan 'em out in front
of you. If an ink pack gets in the
bag, that money's useless.

 TANNER
Yep.

They park in front of the bank. No other cars around. We watch from a distance as they get out and hurry inside, pulling on their masks.

We DOLLY down a side street, now looking at the bank's red wall. We CONTINUE until we are looking at First Texas Bank's parking lot. Which is full.

INT. FIRST TEXAS BANK -- POST, TEXAS -- CONT.

We stare at Toby and Tanner who stand frozen. We see what they see --

Two dozen people staring at them. Frozen as well.

No one moves. No one knows what to do. Then it all happens in a blur.

 TANNER
GET ON THE FUCKING GROUND!!!
EVERYBODY.

Tanner raises his pistol, pointing it frantically at everyone.

All the people hit the deck. Toby is cemented to the place where he stands.

Tanner jumps the counter, pressing his gun hard to the face of the teller.

TANNER (CONT'D)
Open the drawers! Every teller open
their drawer and take three steps
back.

Tanner spots his brother not moving.

TANNER (CONT'D)
HEY!!!!

Toby snaps to, and covers the customers who are sitting and laying on the bank floor.

Tanner begins grabbing the money himself from the teller drawers.

TANNER (CONT'D)
All of ya'll on your fucking knees.
NOW.

All the tellers drop to their knees.

ANGLE ON:

A girl, in her twenties, laying on the floor, discreetly sending a text on her phone. It reads:

THEY R ROBBING THE BANK

Tanner is frantically scraping money from the drawers, one after the other, when an old SECURITY GUARD comes around the corner, his pistol raised. He cocks the hammer --

Tanner spins and fires round after round into him. He falls back as everyone screams.

Another man stands and pulls a pistol from his boot, fires at Toby and misses.

Toby turns and fires while he ducks. They aren't thirty feet from each other, but the twisting and ducking is sending bullets into the wall, the ceiling, everywhere but their intended target.

Tanner takes aim and places a round in the side of the man's head, dropping him to a heap on the floor, like a jacket falling from a coat rack.

Tanner leaps over counter.

TANNER (CONT'D)

Let's go!

EXT. FIRST TEXAS BANK -- POST, TEXAS -- CONT.

Toby and Tanner push through the doors and are met by a hail of gunfire.

The windows behind them shatter as they fire back and duck behind the Grand Am, which is taking a beating.

TOBY

I DIDN'T SEE ANY POLICE!

TANNER

IT AIN'T. IT'S THE WHOLE FUCKING
TOWN SHOOTIN' AT US!

Sure enough, across the road, hidden behind pickups, are locals with deer rifles, shotguns, whatever was in the gun rack when they heard shooting inside the bank. Tanner unlocks the passenger door, lays against the seat, and sticks the key in the ignition. Cranks it to life. Folds the seat forward.

TANNER (CONT'D)

Get in.

Toby dives in as the windows of the Pontiac shatter. Tanner lays on the passenger seat, slams the car in reverse and uses his hand to press the gas pedal to the floor, his feet still hanging out the open door.

The car races backwards as gunfire pulverizes the vehicle.

When the Pontiac is at a somewhat safer distance, we see feet disappear, the passenger door close, and the Grand Am is spun angrily around and slammed into drive, hauling ass down the street.

Locals climb in their trucks to give chase.

INT. GRAND AM -- CONT.

Toby is panicking. Can't catch his breath. He's hyperventilating. Tanner is as calm as he was at the poker table.

TANNER

Man, those concealed carry permits
sure complicate a bank robbery,
don't they?

TOBY

What are we gonna do??

TANNER

Hey. We ain't out of this, and I
need you focused. Believe me when I
say: this is where the rubber meets
the road, little brother.

TOBY

How are we gonna get away from
this? You killed two people. At
least.

TANNER

And let me tell you something, we
ain't through with that yet. You
want to be anything but a black
mark on your sons then I need you
mountain lion mean, you understand
me?

Tanner looks in the rearview mirror and sees a half dozen
pick ups and sedans coming up behind him.

TANNER (CONT'D)

Hold on.

Tanner slams on the brakes. The Grand Am's tires smoke and
scream as the car comes to a stop in the middle of the road.

EXT. GRAND AM -- HWY 308 -- CONT.

Tanner walks to the trunk, unlocks it, takes out the AR 15,
and walks down the center of the highway toward the oncoming
vehicles.

He raises the rifle to his shoulder and sprays the vehicles
with thirty bullets in less than a second.

All the vehicles slam to a stop as bullets pound into their
windshields, their hoods, their grills.

The vehicles are instantly in reverse and beating a hasty
retreat as Tanner drops the empty magazine, slams home
another, and peppers the fleeing vehicles again.

He turns and gets back in the Pontiac.

The door closes and the Pontiac speeds away.

EXT. HWY 308 -- DAY.

The Pontiac pulls along side the Blazer. Toby opens the door and gets out.

TANNER

Needless to say, don't take the highway back through Post. Head south. South, then west, got it?

TOBY

We're done.

Tanner looks over at him.

TANNER

No we're not. Get to the Casino and change the money. Head north through New Mexico to the interstate. You take 287 back to Childress. Like we planned. Like you planned. This was your plan, and it's worked every step of the way. Trust it.

TOBY

Where are you headed?

Tanner just smiles.

TOBY (CONT'D)

Don't be stupid. You get the fuck out of here too.

Toby heads to the Blazer, unlocks the door, crams the money under the seat, takes off his baggy jeans and baggy jacket, revealing wranglers and a sweat drenched t shirt.

TANNER

Hand those to me.

He hands the baggy clothes to his brother. Tanner tosses them in the back seat. Toby climbs in the Blazer.

TOBY

Call me when you make it back to the ranch.

TANNER

Hey ... I love you ... I mean that, Toby.

Toby stares at his brother, shocked by the words.

 TOBY
 I love you too.

Tanner winks and drives away.

INT. GRAND AM -- DAY.

Tanner smokes a cigarette, A soulless country-rock song blaring. he shuts the radio off.

 TANNER
 Can't nobody write a country song
 worth a shit no more.

He begins singing one himself -- a VERY OLD TEX RITTER SONG.

 TANNER (CONT'D)
 AS I WALKED OUT ONE BRIGHT SUNNY
 MORNIN' I SPIED A YOUNG COWBOY A
 LOPIN' ALONG, HIS HAPPY SHELL BACK,
 HIS SPURS A WAS A JINGLIN', AND AS
 HE COME NEAR ME HE WAS SINGIN' THIS
 SONG ...

In the distance, three TEXAS DEPARTMENT OF PUBLIC SAFETY vehicles, lights flashing, are moving toward him.

Far to the left, a dirt road that winds up a shrub oak covered hill to a large, lone, oak tree that lords over the canyons and arroyos.

 TANNER (CONT'D)
 YIPPEE HIYIYO, GET A LONG YOU
 LITTLE DOGGIES, IT'S YOUR
 MISFORTUNE AND NONE OF MY OWN,
 YIPPEE HIYIYO GET ALONG, GET ALONG,
 FOR YOU KNOW WYOMING WILL BE YOUR
 NEW HOME ...

As the cruisers approach, so does the dirt road. Tanner yanks the wheel, cutting in front of the cruisers, busting through a barbed wire fence and spewing a rooster tail of dust as he drives up the hill.

The police cruisers give chase. In the distance, two more are coming, headed by Marcus's unmarked Crown Victoria.

Tanner reaches the top of the hill, turns the car to face the cruisers who are beginning to wind up the dirt road to him.

He pops the trunk, pulls out a satchel of rifle magazines, his deer rifle, and a five gallon gas tank.

He unscrews the top, crams the ski mask in the opening, and light it on fire.

He places it in the passenger seat of the Pontiac and puts the car in gear.

The Pontiac begins moving toward the cruisers headed up the road, it picks up speed, on a certain collision course with them. The cruisers stop, and begin backing down the hill.

The Pontiac is catching up, and it is now that Tanner opens fire.

He pounds the cruisers with gunfire. The Pontiac is ten feet from them when the gas can explodes. The red fireball of metal slams into the retreating vehicles, knocking two of them into the arroyo that runs alongside the road.

Tanner nods at his achievement, grabs his rifles, and crouches down, disappearing into the brush.

Marcus's vehicle pulls up with the two cruisers. They get out and take in the chaos playing out above them.

MARCUS

My word. We need a S.W.A.T. unit up here and a chopper to pen this boy down.

PARKER dials his cell.

Marcus looks up the hill. His eyes are alive. At last: a real fight.

Troopers are running, zigzagging down the hill, motioning with their hands for everyone to get down. Over the burning vehicles one trooper yells.

TROOPER

He's got a rifle! Get down!

We hear the crack of Tanner's deer rifle in the distance. Marcus ducks behind a cruiser.

MARCUS

This old boy's out of his mind. Why don't you slip up this canyon and tomahawk that son of a bitch.

Marcus turns back to PARKER, who is laid out on the pavement, a bullet hole under his left eye. Marcus moves quickly to him, pulling him behind their vehicle.

When he does he sees that the entire back of PARKER's head is gone. He lets go of his arm and sits there, looking over his friend, all the excitement of the chase now gone.

Marcus hears trucks approaching, he turns and sees:

Townspeople approaching. Marcus runs toward the oncoming vehicles, when they slow to a stop he hides behind the passenger side of the truck in front.

MARCUS (CONT'D)

Back these trucks up behind that hill, he's got a rifle up there.

LOCAL

We know it, those bastards shot up half the town.

Marcus takes in the irate cowboy and the deer rifle beside him. The man puts his truck in reverse, Marcus walking beside the truck as he backs up.

MARCUS

How well do you know the land around here?

LOCAL

Like the back of my hand.

MARCUS

He's hid up under an old oak in the brush on that hill. Can I get around behind him?

LOCAL

Give me half an hour, and I'll have that bastard field dressed on the hood of my truck.

MARCUS

Can't let you do it. Get me there.

LOCAL

It's gonna be a five hundred yard shot if he's where you say.

Marcus opens the passenger door, with determination in his old face.

MARCUS

Get me there. I'll do the rest.

Marcus climbs in and the truck drives off as Troopers run up, motioning the other vehicles to go back to town.

ANGLE ON:

Tanner lights a cigarette and watches the madness through the scope of his rifle.

TANNER

The whole town come out for the show. What do you think of that ...

CUT TO:

INT. CHEVY BLAZER -- DAY.

Toby drives as police cruiser after cruiser whips by in the opposite direction.

Toby comes around a bend in the road and sees: FOUR SHERIFF'S DEPUTY VEHICLES blocking the road.

TOBY

Shit.

He slows and stops at the road block. A deputy approaches Toby's window.

DEPUTY

Where you headed?

TOBY

Riudoso.

DEPUTY

... Where you from?

TOBY

Hamlin.

DEPUTY

Taking the scenic route, huh.

TOBY

Taking the only way I can. They got the road closed through Post. Hell, everywhere you turn the road's closed.

The deputy looks through the back window.

DEPUTY 2
Got yer license on you?

TOBY
I do.

DEPUTY 2
Let me see it.

Toby hands it over and the deputy calls it in. Toby sits for what seems like an eternity, trying to act bored or innocent or anything but what he is.

The deputy walks back to the Blazer and hands him the license.

DEPUTY 2 (CONT'D)
Have a good day.

TOBY
Yep. You too.

Toby puts it in drive and pulls past them.

EXT. OAK TREE -- DAY.

Tanner looks through his scope, with just the odd cowboy hat peering out from behind vehicles. Tanner looks bored.

TANNER
This ain't much of a gun fight.

Tanner considers pulling the trigger when one Trooper races through the open from one vehicle to another.

TANNER (CONT'D)
Gonna have to come after me at some point.

In the distance he sees more police vehicles approaching and what looks to be a S.W.A.T. van.

TANNER (CONT'D)
Now we're talking.

Tanner reaches for a cigarette.

TANNER (CONT'D)
I think I got time for one more.

He places a cigarette in his mouth. Flicks his lighter.

EXT. RIDGE LINE -- CONT.

We watch the lone tree THROUGH A RIFLE SCOPE and hear the labored breathing of a man far too old to crest hills like the one he just climbed.

LOCAL (O.S.)

You're pretty winded, you oughta let me take the shot. Hell, it's my gun.

MARCUS (O.S.)

No.

We see them now, on the edge of a ridge almost half a mile from the tree.

Marcus lays on his belly looking through the rifle scope, the local beside him, looking through binoculars.

MARCUS (CONT'D)

He's mine.

LOCAL

I don't see him yet.

MARCUS

Me neither. He'll show himself soon enough.

They sit, watching. A small plume of cigarette smoke rises near a bush. They both hone in on it.

MARCUS (CONT'D)

I got him.

LOCAL

Me too.

We look through the scope. We see the back of Tanner's head.

MARCUS (O.S.)

I got you ... (To the local) How low is this rifle gonna shoot at this distance?

LOCAL (O.S.)

She's dead on at three hundred. Hold ten inches above him and you'll split his skull.

The scope's cross hairs move above Tanner's head ...

MARCUS (O.S.)

Look at you. Sitting right on the devil's doorstep.

ANGLE ON:

Tanner draws on his smoke, relishing it. Looking down on the scampering police below him.

TANNER
Won't be long now.

Tanner nods with satisfaction.

TANNER (CONT'D)
Lord of the plains.

He takes a drag.

TANNER (CONT'D)
That's me.

He exhales. A strange feeling comes over him. He senses something ...

WE LOOK THROUGH THE SCOPE.

We see Tanner turn his face toward us -- cross hairs just above his head -- looking right into the lens.

The trigger is pulled. We hear the rifle roar. See the muzzle flash through the scope. Tanner's face drops to the dirt. Lifeless.

INT. INDIAN CASINO -- RIUDOSA, NEW MEXICO -- NIGHT.

Toby stands at the check in counter, exhausted. The clerk pecks in a computer.

CLERK
Just one of you?

TOBY
Yeah.

CLERK
How many nights ... Sir?

TOBY
I'm sorry, what?

CLERK
How many nights?

TOBY
One.

INT. TOBY'S ROOM -- INDIAN CASINO -- RIUDOSA -- NIGHT.

Toby stares at the ceiling, chip trays stacked full on the night stand. He looks at his cell phone. Nothing.

He's been resisting this. Once he knows, there's no more hope. But he must know. Can't put it off any longer. He turns on the TV.

A TV reporter stands in the city square of Post, a flurry of activity behind her.

REPORTER

... When the townspeople of Post confronted the robbers, a shoot out reminiscent of the old west broke out right here, in the city square. The locals chased the robbers out of town, but not before three of their own were killed inside the bank and on these city streets. And like a story from a dime store novel, both members of the Texas Highway Patrol and locals chased the robbers to a hillside twenty miles east of town where the gunfight continued. Three highway patrolmen were injured, two critically, and one Texas Ranger was killed before Ranger Marcus Hamilton killed one of the gunman with a rifle he borrowed from a resident of this rugged little town.

NEWS ANCHOR

What information do we have on the bank robber that was killed?

REPORTER

His name is Tanner Joseph Hanson, from Hamlin, Texas. He was convicted of an armed robbery back in 1997, and served twelve years of an eighteen year sentence.

NEWS ANCHOR

Any word on his accomplice?

REPORTER

No word yet. Officials speculate he is hiding somewhere in the canyons that surround this area.

(MORE)

REPORTER (CONT'D)

They will continue the search through the night and are warning residents that he is armed and extremely dangerous. But as of yet, nothing is known about the accomplice and officials are hoping that someone will come forward and give them information that will lead to identifying who the other part of this duo that has caused so much havoc over the past few days.

NEWS ANCHOR

Thank you, Kate. Wow. What a shocking story coming out of West Texas. In other news --

Toby shuts it off. Returns to staring at the ceiling, expecting it to fall on top of him. Tears build in his eyes and run back to the mattress below him.

CUT TO:

INT. FIRST TEXAS BANK -- CHILDRESS, TEXAS -- DAY.

Toby, showered and decently dressed, sits across from the LOAN OFFICER who looks at the two checks from the casinos.

LOAN OFFICER

(Dry as a bone) Lucky guy.

TOBY

Mmhmm.

LOAN OFFICER

Just in the nick of time too ...
What are the odds.

Beat.

TOBY

Not great.

He punches some numbers on his computer.

LOAN OFFICER

This satisfies both the reverse mortgage loan and the back taxes that we paid on your mother's behalf. We do that as a courtesy.

TOBY

I'm sure.

Toby hands Billy's business card to the Loan officer.

TOBY (CONT'D)
You can fax the release of Lien to
this number.

LOAN OFFICER
(Looking over the card) An
attorney.

TOBY
Yeah.

The loan officer nods.

LOAN OFFICER
You're aware that you can sell
mineral rights separate from the
surface rights of a property.

TOBY
That a fact.

LOAN OFFICER
Yeah. The odds there are actually
minerals to extract are, well, it's
highly unlikely, but I can check
and see what value the rights have
and --

TOBY
Long odds are working pretty good
so far. The release of lien, that's
all I want.

LOAN OFFICER
I'll get that faxed over to your
attorney by the end of the week.

The loan officer smiles. Toby doesn't.

TOBY
It is the end of the week. I want
to watch you do it.

Beat.

LOAN OFFICER
It take a little time to prepare.

TOBY
I got all day.

Beat.

LOAN OFFICER
Very well. Let me get it printed
up.

The loan officer hits a button and the printer spits out the document.

LOAN OFFICER (CONT'D)
If I can just get you to sign here.

Toby looks over the paper, reading every word.

LOAN OFFICER (CONT'D)
It's all pretty standard --

Toby's eyes burn into him. He sits back. Toby reads it line for line.

TOBY
Didn't take that long, now, did it?
Says here you'll mail the deed
within seven days.

LOAN OFFICER
That's right, that goes to your
attorney as well, correct?

TOBY
Yeah.

Toby signs the paper and hands it back.

TOBY (CONT'D)
Fax it.

The loan officer places it in the fax, enters the number from the card.

The fax chirps and whines and pulls the paper through.

LOAN OFFICER
That's it.

The loan officer stands. Offers his hand.

LOAN OFFICER (CONT'D)
Pleasure doing business with you.

TOBY
Yes. Wasn't it?

Toby turns to leave, then stops. Turns back. An evil gleam in his eye.

TOBY (CONT'D)

Let me ask you a question. Do y'all manage trusts?

EXT. MARCUS HAMILTON'S HOUSE -- ABILENE, TEXAS -- DAY.

It's a month or so later. Marcus sits on his porch. Looks out over his yard to the street. There's traffic, there's people walking along the sidewalk.

If anyone's wondering where all the people from the little towns went ... They all came here.

A neighbor walks by pushing a stroller. She waves at Marcus.

NEIGHBOR

Thought the summer would never end.

MARCUS

Was a hot one.

NEIGHBOR

Don't know what we did to deserve it, but I'd say we've paid our penance.

NEIGHBOR (CONT'D)

We'll see. Not sure if the Good Lord's done with us yet.

She wanders on down the street.

A car horn honks. A dog barks. A siren in the distance. There is no peace in this place.

Marcus finds solace in the newspaper. Flips to the sports page.

BARNEY (O.S.)

You're breaking in that rocking chair, I see.

Marcus looks up, though he doesn't want to. Finds BARNEY CUMBERLAND, nearing 80, and happily settled into a life of no purpose.

MARCUS

Yep.

BARNEY

Going over to the Legion tonight, there's supper and a decent card game. Wanna come along?

That sounds like hell.

MARCUS
I ain't a veteran.

BARNEY
You'll come as my guest.

MARCUS
I appreciate it Barney, but I ain't
much of a card player.

Barney laughs.

BARNEY
You will be.

Barney heads back toward his house.

BARNEY (CONT'D)
(Looking back) What else you gonna
do?

Marcus tries to focus on the paper, but the truth of Barney's
statement lingers. It's too much. He tosses the paper down
and heads in the house.

INT. MARCUS'S HOUSE -- LIVING ROOM -- CONT.

He looks around -- thirty year old furniture in like new
condition. Can't decide where to go. Decides on his recliner,
goes to it and sits.

He reclines it back. Clicks on the TV. ESPN. The dull hum of
football rises from it. He closes his eyes and leans back.
It's not working. He can't do this one more minute...

INT. TEXAS RANGER OFFICE -- ABILENE, TX -- DAY.

Marcus walks in, past a secretary.

SECRETARY
Afternoon, Marcus.

MARCUS
Hello, Margaret.

A RANGER walks up to him.

RANGER
That didn't take long.

MARCUS
Oh, just ... You know.

RANGER
Not yet, but I will. Want some
coffee?

MARCUS
Sure. Think I could take a peak at
Tanner Hanson's file?

RANGER
How come?

Marcus smiles.

MARCUS
Nothing better to do.

RANGER
It's in my office.

They walk toward an office just off the main foyer. The
Ranger hands Marcus the file as they both sit down. Marcus
flips through it.

RANGER (CONT'D)
Got Tanner's juvenile record
unsealed. What a piece of work that
boy was.

Marcus reads it over.

MARCUS
Killed his father in a hunting
accident?

RANGER
I'd love to know what he was
hunting in the barn. In April.

Marcus continues reading.

MARCUS
His brother checked out?

RANGER
I don't know about that, but
there's nothing that ties him to
the robberies.

MARCUS
What about that little waitress in
Vernon?

RANGER

We showed her a picture, said she never seen him ... Pretty upset you took her tips as evidence.

MARCUS

That fat girl sure was sassy.

Marcus holds up Tanner's file photo and a blown up picture of Toby's DMV photo --

MARCUS (CONT'D)

You show these to that old timer?

RANGER

Yep. We showed him Toby's DMV photo and he said it didn't look like the fella from the diner.

MARCUS

Old timer said they looked like brothers.

RANGER

Well, he's ninety years old, he didn't recognize Tanner's photo either.

Marcus sips his coffee as he continues through the file. Holds up a REQUEST FOR WARRANT form.

RANGER (CONT'D)

Yeah, I asked for a warrant on his bank accounts and the ranch, DA wouldn't do it. Toby's got no record, never been arrested. Only court appearance he ever made was at his divorce.

Marcus continues reading.

MARCUS

He owns this ranch?

RANGER

Was his mamas. Now it's in a trust for his kids, she died a month ago.

Marcus raises an eyebrow.

MARCUS

Just before all this started ...
And the ranch is in a trust.

RANGER

Mmhmm.

MARCUS

Ya'll go out there?

RANGER

Oh yeah. You wanna know the first thing I noticed? Two drilling crews from Chevron capping wells and putting in pump jacks... The engineer out there said they could pull 2000 barrels a month off that place. Know how rich that'll make those kids?

MARCUS

Then why was Tanner running around robbing banks, if they're so flush?

RANGER

I don't know, whole thing stinks to me. But you try convincing a judge to issue warrants on somebody set to clear fifty thousand a month for stealing forty thousand from the bank that manages the trust on the property.

Marcus raises the other eyebrow.

MARCUS

First Texas manages the trust?

RANGER

They ain't the executor, but they hold the money. Oh, it's one rotten fish, but damned if I can figure it. And you can bet your ass First Texas ain't pressing it over forty thousand dollars. Lord knows what they stand to make.

The Ranger sees the wheels turning in Marcus's head.

RANGER (CONT'D)

Marcus, if you want to come up here and dig through files, ask questions, that's fine. There's always coffee in the pot for you, but you can't go out there, okay?

Marcus stares at the DMV photo of Toby.

RANGER (CONT'D)
Marcus ... You're retired.

MARCUS
I hear you.

RANGER
Okay.

Off the Ranger, not quite believing him.

CUT TO:

EXT. HANSON RANCH HOUSE -- DAY.

Toby looks at a depression dug under a barbed wire fence that leads to a small garden that has been destroyed.

Toby walks to an old pickup and grabs a lever action rifle from the gun rack. He racks a round. Climbs over the fence and follows pig tracks that lead from his garden to the mesquite thicket just beyond. He follows.

He walks a deer trail through the thicket, following the pig tracks. He slows, creeping along the trail. It bends to the right.

He creeps along the trail, then notices something moving off to his right, along the dirt road that leads to the house. He ducks. Looks, and starts creeping back toward the house.

MARCUS WALKS THE ROAD UP TO THE HOUSE.

He looks up at it. It's halfway through a new paint job, paint cans and rollers rest beside the porch.

Toby steps quietly from the mesquites, coming up behind Marcus. Marcus turns to him.

MARCUS
Painting the house I see ...
Know who I am?

Toby steps closer, the rifle cradled in his arms. Marcus smiles.

MARCUS (CONT'D)
I'm the man who killed your
brother.

Beat.

TOBY

I know it. I also know you're retired. And you're trespassing.

MARCUS

You could shoot me now and be within your rights. And you totin' a gun. How convenient.

TOBY

I imagine you've got one too.

Marcus smiles. Toby stands there, waiting patiently for whatever Marcus came here to do. Or say. Marcus has a seat on the edge of the porch.

MARCUS

You mind if I sit?

Toby almost smiles.

TOBY

Feel free.

Toby walks to the porch sits in his chair.

TOBY (CONT'D)

You want a beer?

Marcus thinks about that.

MARCUS

Sure. I ain't on duty no more.

Toby grabs two from a small cooler and tosses him one.

MARCUS (CONT'D)

Nice out here with the breeze, now that it's cooled down. Texas is hell till September comes, ain't it?

TOBY

It can be.

Silence.

MARCUS

How'd you do it -- never mind, I'll figure that in time ... Why'd you do it?

TOBY

Do what?

MARCUS

I know why Tanner did it. He robbed those banks cuz he liked it. He shot my partner three hundred yards away cuz he liked it. Made him feel good. And if I hadn't blown his shit-for-brains out, there'd be a brand new truck parked out front and four wheelers and anything else he could think to buy. He'd spend it all just to have an excuse to steal some more. But not you ... Painting this old house yourself. Driving that beat up truck. Nothing new I can see, 'cept those pump jacks and each of 'em paying you a week what you and your brother stole from all four banks combined.

Marcus sips from his beer. Toby shifts the muzzle of his rifle discreetly in Marcus's direction.

MARCUS (CONT'D)

Help me understand that ... Help me understand why four people died so you could steal money it don't seem you've spent. That it don't seem you need.

Toby looks at Marcus, and his grin that begs for a fight.

TOBY

You got a family?

Beat.

MARCUS

My partner had a family. A big one. They don't have no pump jacks in their back yard. They're gonna have to stretch a pension among the six of em.

TOBY

I didn't kill your friend.

MARCUS

Yes you did. By setting this thing in motion. You expect me to believe your dim-witted brother planned all this? We've seen how he operated on his own. No, this was smart. This was you.

Beat. Toby looks over at a pump jack, undulating up and down, drawing money from the earth with every revolution.

TOBY

I been poor my whole life. So were my parents, and their parents before 'em ... Like a disease, passed from generation to generation. And that's what it becomes, a sickness ... Infecting every person you know ... But not my boys. Not anymore. This is theirs now. Ain't no advice you can give a child these days. No lessons. No love. Nothing that can guarantee they have a chance at life, but money. I hate that the world's come to this, but it has. And I dare you to look me in the eye and tell me different ... I never killed anyone in my life, but if you want me to start with you, let's get on with it, old man. See if you can get that pistol from your boot before I blast you off this porch.

They hold each other's gaze, no surrender in either man's eyes, but no anger either, just the grim acceptance that it had to be this way.

An older Ford Expedition bounces up the dirt road and stops in front of the house. Justin, Debbie, and RANDY, 11, step out, book bags over the boys' shoulders.

Debbie spots the gun in Toby's lap.

DEBBIE

What's going on?

TOBY

That pig was back in the garden.
(To Marcus) Feral hogs are tearing up this place somethin' fierce.

DEBBIE

Who's this?

MARCUS

I'm an old friend of your husband.

Debbie recognizes Marcus instantly, but this isn't her first rodeo with playing dumb.

DEBBIE
Ex husband.

TOBY
I'm just here working on the house.

MARCUS
You don't live here?

TOBY
It's not mine. It's theirs.

Marcus looks at the boys. Then at Debbie. Stoic expressions, giving away nothing ... They all know. He can tell. Has to laugh.

MARCUS
Things you do for your kids, huh?

Marcus rises.

MARCUS (CONT'D)
Well, I'd best be going.

Toby stands as well.

TOBY
Me too. (To Debbie) I'll be back over around nine tomorrow, try and finish the front.

She nods. Toby looks at Marcus.

TOBY (CONT'D)
You know, I'm renting a little house in town. If you wanna come by and finish our conversation ... You're welcome anytime.

A dare ... A threat ... Marcus looks back at him.

MARCUS
I'll do that. I haven't figured this whole thing out yet ... But I will.

Marcus looks over at the boys. Studies them.

MARCUS (CONT'D)
You as smart as your daddy?

RANDY

I never thought of daddy as all
that sharp.

Marcus laughs. Leans down to the boy.

MARCUS

Don't you underestimate him.

He looks back at Toby.

MARCUS (CONT'D)

I'll be seeing you.

TOBY

Soon, I hope. I'm ready to be done
with this.

MARCUS

You'll never be done with it. No
matter what. That's the price. It's
gonna haunt you, son. For the rest
of your days.

Marcus looks up to the sky, letting the autumn sun bathe his
face.

MARCUS (CONT'D)

But you won't be alone. It's gonna
haunt me too.

TOBY

When you come by, maybe I'll give
you peace.

Marcus smiles.

MARCUS

Maybe. Maybe I'll give it to you.

TOBY

I'd like that ... Till that day.

Marcus looks at this sad, simple man, and smiles. Tips his
hat, turns and walks up the dirt road.

The camera rises and looks down on them. The house's gray,
faded shingles and Marcus's silver hat standing out from the
red dirt that surrounds them.

THE END.

