

# Last Plane Out of Saigon

By Richard Pena and John Hagan  
The Story Merchant, 2014

Reviewed by MATTHEW D. WALKER

Not many books can function as a literal time capsule to the past, but *Last Plane Out of Saigon* does just that.

In the spring of 1971, Richard Pena was a law student at the University of Texas School of Law when he received notice from the draft board that he was to report for active duty for service in Vietnam. He entered the Army on June 14, 1971, and arrived in Vietnam in early May of 1972, serving for almost a year in the 3rd Infantry Hospital in Saigon. While stationed there, Pena kept a journal documenting his experiences in Vietnam and his thoughts on the war. The Vietnam War ended, and he literally was one of the last to leave, returning to the United States in March 1973, and earning for his service the National Defense Service Medal, the Army Commendation Medal and the Vietnam Service Medal.

Upon his return, he didn't obsess on either the glory or the grit of war. Pena quickly moved on with his life, completing law school and starting his legal career. And his journal? It was thrown in a box and packed away, where it remained, untouched, for over 35 years.


*Last Plane Out of Saigon* is the publication of Pena's journal, penned as a young soldier and written in the voice of a 24 year old draftee; it provides a perspective on the Vietnam War beyond that of the typical combat soldier story.

Context for Pena's writing is provided in chapters written by John Hagan, Pena's law partner. These chapters describe events leading up to and during the war from today's perspective. The combination of Pena's reflections as a young soldier and Hagan's historical descriptions allows the reader to look at the war from the perspective of a participant and a distant observer.

What is most striking about *Last Plane Out of Saigon* is the vocal opposition to the Vietnam War and criticism of the Nixon administration expressed by both writers.

The young Richard Pena reveals his opposition to the wartime objectives, often question-

ing whether any action he is taking is serving a legitimate purpose. One event that sums up the overall mood of the young soldier happens early in the book. He finds himself in a Saigon bar where he meets a Vietnamese woman. He is struck by her beauty and excited when she reciprocates interest in him. He is saddened when he later realizes her interest is nothing more than a grasp at survival. He recalls the words of another soldier: "What does it mean?" This is a recurring sentiment for the young Pena, as he is surrounded by civilians and by soldiers wounded and dying as they grasp at survival.

Pena and Hagan both criticize the war without criticizing the American soldiers who fought and served our country. In the end, we see that Richard Pena the young soldier and Richard Pena the 66-year old, accomplished attorney are much the same. The modern day Pena concludes the book with his reflections on his experience during the war and his unique experience of being one of the last soldiers to leave Vietnam. There, he proudly reflects on his service of our country and the sacrifices made by the veterans of the Vietnam War. 

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## MOVIE:

# The Judge

Warner Brothers Pictures

Directed by David Dobkin

Reviewed by THE HON. JEFF WORK

**"The truth? I thought we were talking about a court of law. Come on, you've been around long enough to know that a courtroom isn't a place to look for the truth."**

*Robert Duval's character, the bullying civil defense attorney Jerome Facher in the 1998 movie, A Civil Action*

In the forthcoming movie, *The Judge*, it is uncertain whether the truth will appear in the fictional courtroom drama and, if so, on which side. The simple fact a movie cast includes Robert Downey, Jr., Robert Duval,


Billy Bob Thornton and Vera Farmiga peaks the interests of many people but, with the legal background, lawyers will especially be curious about the film. The movie premiered nationwide on October 10, 2014.

For Oscar nods, it may be difficult to identify the lead actor for this movie. Billy Bob Thornton plays the antagonist in the movie, the district attorney who hopes to make a big political splash by prosecuting a long time judge for murder. Thornton's portrayal appears to be perfect casting as his character's words almost hiss with each utterance.

Robert Duval has played several legal roles over the years including the "adopted son"-mafia lawyer in *The Godfather* series. In *The Judge*, Duval plays the title character, Judge Robert Palmer, who has been on the bench for 42 years. The character's long-time wife has just died and then, suddenly, as his life is already crashing, Judge Palmer is charged with first degree murder of another individual.

The lead, of course, is played by Robert Downey, Jr. It appears his character, big city lawyer Hank Palmer, may be closer to Downey's own well-documented real life struggles than Iron Man or Sherlock Holmes. After his last stay in rehab in 2003, Downey has beaten his demons and risen to be one of the premier actors in Hollywood. In this movie, Hank Palmer returns to his small-town childhood home for the funeral of his mother only to find he is being called upon to defend his own much-estranged father from murder charges.

The director of *The Judge* is David Dobkin who is also a producer and co-writer for the film. Dobkin is known for the movies *Wedding Crashers*, *The Change-Up*, *Shanghai Knights* and *Fred Claus* so it would seem that this movie may be a little out of his comfort zone. Nevertheless, with a cast like the one in *The Judge*, it may be best to give Dobkin the benefit of the doubt especially since Vince Vaughn and Owen Wilson are NOT in this movie.

Despite the stellar cast, if you still want to see some more reviews before going to the movie, there should be plenty of opportunity. *The Judge* was shown at the Toronto Film Festival on September 4, 2014. Regardless, *The Judge* is a movie this fall for which most lawyers will not want to seek a continuance. 

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