



On Your Honor

There is no justice without truth



WRITTEN AS A 'NOVEL IN A DAY'
ON OCTOBER 10th 2020

On Your Honor

written as a
Novel-in-a-Day



ON YOUR HONOR

Originally published: 2020

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Time is no substitute for talent

Welcome to the fruits of NIAD X, a frenzied fury of written words that proves once again that the meeting of talent and sheer manpower can result in the creation of something thoroughly entertaining.

The original Novel in a Day took place on October 15th, 2011, after someone took to the forum of Literature & Latte (Scrivener's publishers) to complain about an article on writing an entire novel in three days. Yes, three days was declared to be 'for wimps'- on the proviso that you drafted in a bunch of friends to help your speed writing, of course – laying down the gauntlet and leading to NiaD's creation. Nine years later, the event is still bringing together writers from across the world in a day of manic creativity. As its name suggests this is the tenth incarnation of the event, which has produced a total of 28 novels – a pretty impressive tally when you think that the number of writing days completed adds up to just a third of a NaNoWriMo.

If you're unfamiliar with the mechanics of NiaD, it goes something like this: just after midnight, a group of shiny keen volunteers are sent skeleton details of a section of a plot with no knowledge of the wider story or where their work fits within this. They then have a day to turn that information into a chapter, which is submitted for compilation with the work of 23 now-looking-slightly-less-shiny others, creating the novel you've just downloaded. It's exhausting yet fun filled, and we're grateful as always to be a part of this.

So – a huge thanks to all NiaD's writers, many of whom sign up year after year, and a special mention to NiaD's creator, Rog - plotter, organiser, editor and general ringmaster of all. We hope you enjoy the novel as much as we enjoyed creating it – and maybe, just maybe, it might tempt you to sign up and join in next time around..?

Julia

October 10, 2020

On Your Honor

chapter one

Adela Torres

NEW YORK CITY, 1991

"Oh, Tony this is *perfect!*"

Louisa doesn't squeal, but comes delightfully close. Tony can't help but smile as his wife's face lits up at the decorations in her favorite lilac-and-peach, the tasteful yet festive flower arrangements, the cheerful corner set up with kids' games. She's just come from the hairdresser or the estheticienne or some such feminine activity and looks remarkably young for her newly-minted 41 years, still adjusting shakily on her mind. Yes, Tony sees the incipient bags under her eyes, the softening of the neck, the slight loss of waistline. He doesn't mind, much. He can pay for whatever nip and tuck job she wants done, when she wants it. He'd even add some suggestions of his own at that point; he's sure she won't raise any objections.

"*You* look perfect," he replies, gallantly, and kisses her on the cheek. She giggles.

"I have to go change. The guests are supposed to start arriving soon, right? You'd better change too."

Tony doesn't see anything wrong with the slacks, shirt and sweater vest he's wearing, but doesn't grumble. He'd much prefer to have the day to himself, to be fair. Parties bore him. Yet it's a perfect occasion to see some people, talk some business, and get some work done while everybody's having fun.

And being noisy and confusing and hopefully if there's some bug that yesterday's sweep missed it wouldn't catch anything more dangerous than talks about shrimp cocktails and new cars and the latest Broadway hit.

He goes up and changes into a dark suit and tie. Louisa is wearing something blue and draped that enhances her breasts nicely without falling into a *come-on* look. She talks volubly about the party and the caterers and the guests and the food and giggles and titters like a fifteen-year-old. Tony likes that in a woman.

"You'll make sure the children behave," he says in a certain moment as she walks past him to change her earrings for the third time.

"Of course, dear," she says absently as she lifts up a diamond tear to her ear, then exchanges it for a dangling line of small blue stones. Sapphires? He doesn't remember buying those.

He walks behind her and catches her eyes in the mirror. "I don't want them bothering the other guests. You know Ed is coming."

"I know," she says, and starts to fasten the blue earring to her ear. "Don't worry, I'm sure they'll behave. They have all those games and they can play on the front yard too. Though I suspect Lizzie and her cousins will want to go upstairs to her room and listen to compact discs or whatever."

"They'd better not make a scene, is all I'm saying," he says,

dropping his voice. Louisa pauses with the other earring in her hand and looks at him via the mirror. A quick, uneasy look flashes across her eyes.

"I'll take care of it," she says, her voice softer and meek. Tony also likes that in a woman. He nods.

"I'm going down, Sal will arrive any minute now," he walks towards the hall, leaving her still holding the earring.

"And wear the diamonds," he orders as he's leaving the room, without turning to look back at her.

Sal arrives soon after. Tony offers him a drink in his ground floor study.

"All ready?," he asks, unnecessarily. Sal has organized everything for today, from the catering to the music to the guest list. There are some names in that guest list that Tony is very anxious to see turn up in person.

"Ed has promised he'll show up, but later, after four," Sal says, sipping his bourbon. "Town Hall meeting. But Otis will come right after brunch."

"Oh, good." Tony wanted the mayor for the social aspect of things, but having Otis here sooner will give him an opportunity to sound him off about a number of issues. And maybe to discuss again the waste contracts.

"Listen, I—," Tony looks around him. "Come outside."

"For the last time, Tony," Sal sighs. "You're not bugged. We shook the house down good and proper yesterday."

"Shut the fuck up," Tony snaps as he strides to the backyard. He waits there for Sal to join him and then steps aggressively up to his face.

"Even if you've taken my house down brick by brick," he hisses, "don't ever take the feds, or me, lightly again or I will have you disemboweled and thrown in a landfill, still writhing

and kicking and moaning. Understood?"

Tony is shorter than Sal. The threat might have been diminished by the fact that he's looking up at him. But what Sal sees is not a heavy, balding man about to enter his fifties. Tony's eyes are like hard, black, dry stone, and cold as all hell.

"Understood," he says. Sal's legendary calm does not shatter. Maybe he takes a bigger sip of bourbon. Maybe his throat works a little before swallowing it. Tony subsides.

"Right. Before the Mayor gets here I'd like to have a private conversation with Otis. Have someone from the office give you the drafts for the municipal waste contracts. We'll see if we can't offer them a better deal."

"In exchange for what?"

"Let's just say that if Ed doesn't work out I'd like to have a candidate ready."

"Otis doesn't want the town, he wants to be a Congressman."

"Office is office. We give him a good piece of cake for the mayor, we see his character."

"You mean how grateful he is. Later."

"Of course."

"Right. I'll have the papers here."

"And we'll talk outside, while all the guests are here. Make sure you give us some privacy."

Sal seems about to say something, but simply nods. Tony nods in return, slaps him on the shoulder.

"You're a pal. Come on, let's party."

Tony is smiling and sweating a little under his double-breasted suit. The party is on full swing; so much so that there are parked cars two streets away. The guests, a bit uneasy at first, soon relax under the influence of good food and plenty of

drinks. The children have been playing noisily in their corner but now the older ones have gone up to Lizzie's room. Louisa, prettier than ever under the influence of gifts, praise and pink champagne, is chatting up wives, refreshing men's drinks and tending to chocolate-covered toddlers without once endangering her looks nor her poise.

Tony has been playing catch with Tony Jr. and Mark for a while, but as the afternoon turns into early evening some of the people he wants to talk to start arriving.

"Here," he says, giving the rugby ball to Mark. "Go play somewhere else, son." He looks for Louisa, gestures for her to come over. She does, tipsy and a bit unsteady on her high heels. Mark is full of sugary treats, overexcited, and little Tony grumbles a bit about not wanting to go with "the kiddies".

"I wanna stay with you, Pa!," Tony complains. Louisa grabs his hand, a bit roughly.

"Come on, dear, don't make a fuss," she says. "We'll go to the kitchen and mommy will make you both some chocolate milk, all right?"

This seems to satisfy eight-year-old Mark, but Tony Jr. sulks and grumbles. Tony frowns at his eldest son.

"Go with your mother," he says. "Pa has to talk to some important people now."

"But I wanna staaaay!" Tony Jr. wails, loudly enough to attract the attention of some nearby guests. Tony grabs his son by the upper arm and shakes him.

"Anthony Robert Salerno, you will do as I say and you will do it *right now*." The last words are a hoarse bellow. Tony Jr. blanches, his face scrunches up. Tony pushes him towards his mother. "And don't you start crying now, what are you, a little girl? We'll talk about this later, see if we don't. Go inside! *Now!*"

The last word is a roar. Louisa embraces her oldest son while Mark leans away from his father's wrath. He's eight but he's already learning.

He wants chocolate milk but he knows that Anthony will be furious about Pa getting angry, and he'll take it on him. So Mark decides he'll hide, as he often does when people start shouting. He slips away from mommy's hand, unnoticed, while Louisa tries to comfort little Tony and take him away from her dark-faced husband.

Mark goes around the house to the front, where the driveway is packed with shiny, expensive cars. He darts around them for a while, imagining himself in a police shootout. The music for the party is muted here and Mark likes the quiet better.

Evening is falling and the light comes from behind him, from the house's windows. It throws his shadow ahead of him: a long, stick-like figure that Mark finds funny. He moves around like a puppet, making exaggerated gestures with his arms and legs, giggling as his shadow transforms into a strange dancing alien.

He follows the dance for some steps, playing with his head and arms. And then his shadow splits, turns into an angled, jerky double-vision. Mark is confused for a second and then realizes that there's another light source, coming from his right.

He falls, or is pushed, or a combination of both. He can't tell, because his head has hit the pavement and there's been a scary noise inside his head: hard, dull, wet. He feels warm all of a sudden, but apart from a whirlwind of movement he sees nothing much, so he thinks the lights have been turned off. He wants to get up but doesn't know how. It's all strange, disjointed.

Mark is, he finds, on the ground. He must have fallen, he thinks. He's trying to call for mommy but his voice doesn't seem to want to come out. He sees red: red lights, red pavement. Then the red lights fade away. So does everything else.

Louisa has gone around to look for Mark. She knows her youngest son likes to get away whenever there's a fight, whenever there's shouting. She's calling for him as she rounds the corner to the front yard and sees the car and something small running across the headlights. It's a split second in which she feels the weight of a whole world ending.

And then she hears a thud and a noise that must be her heart, stopping. Breaking. She screams. She runs to the small crumpled figure on the floor as the red lights fade down the street.

She sees the blood on the asphalt, so much blood for so little a body. She hasn't stopped screaming. She falls to her knees beside Mark's body. His blood soaks her skirt: warm, brutal, final. One arm is bare, pale in the evening: somehow she notices, without noticing, that part of one of his jacket's sleeves has been ripped off. The little hand, flecked with blood, has stopped twitching.

Behind her Tony's face is white, inhuman, paralyzed. She doesn't see him. She looks at her dead son as if it's the only thing she'll be able to see ever again.

chapter two

Pete Barclay-George

“ALL RISE.”

Conversation stopped, replaced by the sound of lawyers chairs being scraped backwards and the gentle swish of clothing as those on the public benches stood as directed. Judge Andrew Clinton strode the short distance from his chambers to the bench, notepad and a law book under his left arm, the hem of his black gown wafting behind him as he walked. He didn't need the book, but, after nine years on the New York Supreme Court bench he knew that carrying it in gave him an air of gravitas, impressed the public and made it look like he had done his homework – and that might just tip the edge in his re-appointment next year.

He slid between his chair and the bench and, framed by the flags of the United States and New York City, bowed his head to the Courtroom before sitting – the sign that the rest of the room could now take their seats. He looked down at the papers in front of him and over to his left, at the defendant in the dock, two Court Officers either side of him. Scanning the courtroom, giving those attending time to settle, he saw in the

public benches Tony and Louisa Salerno the parents of the dead boy, both flanked by ‘heavies’. They stared straight at the defendant, eyes never moving, as they had every day of the trial so far. Judge Clinton didn’t know who he felt more sorry for, the parents or the guy who had killed one of Fat Tony’s kids.

“Mr Lawrence – I believe you have a submission to make to the court before the Jury are called in today?” Judge Clinton looked down from the bench as Danny Lawrence, lawyer for the defence, stood, a sheath of papers in hand, and began searching through the pages. He coughed, reached up and adjusted his tie and ran his fingers through his not so neat, dark hair before looking back down at the desk and then up at the Judge.

“I do, Your Honour, yes.”

Judge Clinton waited as Danny looked back down at his papers, “Your Honour, the defence submits that the evidence the prosecution wishes to present in respect to the piece of blood stained denim jacket, allegedly found in my clients hallway, be excluded under the Fourth Amendment.”

Danny remained standing, looking at Judge Clinton,

“And, Mr Lawrence, would you like to elaborate for the Court exactly why you think the Fourth Amendment might apply to this particular piece of evidence?”

Danny hesitated a little, wiped a hand on the hem of his jacket, “Yes, yes.....sorry Your Honour. I submit that, at the time of finding the item in question, allegedly in the hallway of my clients apartment, the search carried out by the police in order to do so was not only unreasonable but also illegal.”

Danny glanced over at his client, nodded his head in what he hoped was a reassuring way and sat back down.

Judge Clinton made a few notes on his pad before looking

towards the prosecutor, “Mrs Bennett, I assume you will wish address the court on this matter?”

Angela Bennett stood and smoothed down the sides of her light grey, linen skirt.

Leaving her papers on the table she addressed the Judge directly, “I do Your Honour, thank you.”

Her soft, Philadelphia lilt sounded distinctively different from Danny’s harsh, faster paced New Jersey accent. “The Court is aware that the substance of this case is that the defendant, Mr Scott Moore, was arrested for leaving the scene of a collision in which he was driving a white Ford Explorer which struck and killed Mark Salerno, an eight year old child. Mr Moore fled the scene and, when officers attended his apartment a short while afterwards they discovered, in his hallway, a piece of blood stained denim which was later matched with that of the jacket being worn by Mark Salerno at the time of the collision. It is our submission that due to the short time frame involved between Mr Moore fleeing the scene and the officer finding the blood stained denim at his apartment it is perfectly reasonable for the Court to allow it to be submitted. Thank you, Your Honour.”

Angela sat back down and turned over the top sheet of paper in her file.

“Over to you, Mr Lawrence, what argument do you have to indicate that this particular piece of evidence should be excluded?”

Judge Clinton turned back towards Danny, who stood, “Your Honour, I would like to call the officer who found the piece of denim.”

Angela jumped to her feet, “Objection, Your Honour. It is for the lawyers to discuss points of law and for the Court to make a judgment on those arguments. Points of law are not a

case of direct witness testimony, which should address only the facts and not the law itself.”

Judge Clinton looked from prosecution to defence attorney, “Sit, both of you.”

Angela and Danny took their seats. “Normally, Mrs Bennett, I would agree with you. However, in this case, Mr Lawrence is alleging that the evidence in question was somehow obtained illegally, in breach of the Fourth Amendment. At the heart of that allegation are the actions of the officer who found the evidence and not just the point of law alone and, for that reason, I am minded to allow Mr Lawrence’s request to directly question the officer about the matter. I shall call a short recess in order that you can explain to the officer the limits of their evidence in these respects and ensure that they stay within those limits and not stray into matters unrelated to the seizure of said evidence. I want you both back in court in thirty minutes.”

As the Judge stood and left the bench the clerk shouted, “Court is in recess, All Rise,” the noise level in the courtroom increased as the defendant was taken down to the cells and the public left the gallery, hoping to be able to grab at least a lukewarm, machine coffee before the court reconvened.

There are a myriad of small rooms off the central corridor of the New York City Supreme Court and all have doors made of the same, dark oak that adorns the rest of the building. Only a small sign on each door tells them apart, Court Officials, Councillor Interview Rooms, Police. Tony Salerno and his entourage headed towards one marked Councillor Interview. He had no Councillor to speak to but the name Tony Salerno had influence, even here and, if Tony wanted a private room, well, he got one.

They were half way across the atrium when a middle aged white guy in a cheap, dark blue two piece suit, stepped in front of them. Tony's minders moved in on the man, who then tried to push a Dictaphone between them, "Tony... Dave Patterson, New York Daily News.....do you have any comment about how the proceedings are going today?"

As the minders stood their ground in front of him Tony stopped and stared at the reporter, "Yeah, I have a comment, go fuck yourself!"

The minders pushed forward, forcing the journalist backwards and knocking him to the floor. They continued towards the small interview room and Tony looked towards his wife, "Who the fuck does that guy think I am, Paulie fuckin Gambino? He want someone to comment on somethin tell him to go see Paulie, he fuckin loves those press guys!"

As they walked into the small room, away from the hubbub and noise of the atrium, Tony took out a fat, expensive Cuban cigar from inside of his jacket and sat at the head of the small table. One of the minders pulled out a lighter and lit it for him, saying, "So Tony. What you want I should do about this cop? You want I should go have a word with them? Make sure they say things right?"

Tony took a lungful of cigar smoke and let it out slowly, filling the room with it's distinctive odour. "Mikey, Mikey. Who you now? Al Fuckin Capone? Youse know we don't fuck with the cops no more. Some we own, some we don't. Them's the rules – they do their job and we do ours. We start going for individual cops, that's gonna bring a world of hurt on everyone – not good for business."

Louisa turned her head sharply towards her husband, "Fuckin business, Tony? Really? This is our boy we're talkin' about here – rules don't count for fuckin nothin!" She

slammed her hand down on the table.

Tony looked her in the eyes, “Louisa honey, don’t give me no lectures about our boy. I know he was our fuckin’ boy, I loved him just like youse did – but we don’t wanna take on the City of New York here, besides, it don’t matter none anyways. Either way the guy’s history. OK, if he’s in the slammer then it’s easier but if he’s out on the street, well, he’s ours anyway. No, we ain’t startin no war with the cops over this – cause they ain’t expectin that guy to be walking around much longer anyways.”

The room lapsed into silence as Tony took another long draw on his cigar. The Boss had spoken and nobody was going to argue.

The Court reconvened exactly 30 minutes later, Judge Clinton sweeping onto his bench as the Clerk called the, “All Rise.”

Sitting, he glanced around the courtroom, checking that everyone was present. They were, as he knew they would be. People were not late for Judge Clinton’s hearings, not more than once anyway. “If we are all ready to proceed then we shall call the witness.”

The two lawyers nodded and Judge Clinton indicated for the witness to be summoned. The Court Officer, stepping from the courtroom, shouted into the corridor and, within a few seconds, led in a tall, slim Latino looking woman in the uniform of New York’s finest. She took the two steps into the witness box and lifted the Bible With her right hand as she moved. Foregoing the card with the oath written on it she held the Bible high, looked straight at the Judge and said, loudly and clearly, “I swear by Almighty God that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.”

The court clerk instructed the officer, "Please state your full name for the court."

Turning towards the attorney's tables she replied, "I am officer Maria Esposito working out of the 106th Precinct, New York City Police."

Danny slowly stood, again rifling through his papers as he did so. "Officer Esposito. Thank you. I would like to ask you some questions relating to your finding of a piece of blood stained denim that you allegedly found at my clients apartment. Firstly, were you alone when you attended my clients home address?"

Esposito look Danny directly in the eyes, "No, I was not."

Danny hesitated slightly, expecting more, "Please tell the court who else was with you at the time." He could see that she was going to make him work for his evidence.

"I was with Officer McCarthy."

"Thank you," Danny glanced down, "Please explain to the court why you attended my clients address that day."

"I was attending at the request from our Central Control Room. A fatal road collision had taken place, involving a child, and the vehicle involved had been abandoned at the scene. I was asked to go and check the address of the registered owner."

"And that was the address of my client, Mr Moore, is that correct?" Danny indicated towards the dock with his papers.

"That's correct, yes." Esposito nodded her head in the same direction.

"And was my client in when you attended?"

"He was, yes."

Looking the officer in the eye Danny said, "Please tell the court, in your own words, what happened next."

Licking her lips and taking a sip of water, Esposito,

hesitated for only a moment, “We knocked on the door and Mr Moore answered. He appeared to be out of breath, as if he had been running...”

Judge Clinton intervened, “Officer, Stop! I believe that the Prosecutor has explained to you the scope of your evidence today. Please confine your answers to the basic facts. The defendants demeanour and physical state are not, at this point in time, relevant. Do I make myself clear?”

The officer glanced over her right shoulder, “Yes, Your Honour, perfectly, I’m sorry.”

She took a breath before continuing. “As I said, we knocked on the door and Mr Moore answered. We asked if he was the owner of the White Ford Explorer that had been involved in the collision. He stated that he did own a White Ford Explorer but that he knew nothing about any collision.”

Danny held up his hand, “Let me just stop you there officer. Having been told that Mr Moore knew nothing of the collision did you believe him?”

“I neither believed him nor disbelieved him, my job was to look for the evidence, whichever way it pointed.”

“So,” said Danny, “at that point you were actively looking for evidence?”

“Yes, that’s correct.”

Danny looked down at his notes and then back up at Esposito, “Was my client under arrest at this stage?”

“No, he was not.”

“Thank you, and where exactly were you and your colleague at this time, whilst this conversation was taking place?”

Taking a breath, Esposito replied, “We were on the doorstep of the property.”

“So you had not been invited inside by my client or anyone

else in the household.”

“No, Sir.”

Danny placed his papers down on the table in front of him, “Officer, you have told the court that my client was not, at this stage, under arrest. You have also told the court that you did not have permission to enter the premises nor consent to search said premises. Is my summary correct?”

Looking towards Angela, Esposito said, “Yes, but I saw the piece of cloth in the hallway...” Danny cut her off before she could go any further, “Thank you officer. I have no further questions.”

Judge Clinton pointed towards Angela, “Your witness.”

Angela rose, taking a drink of water as she did so, “Please tell the court, officer, what you saw inside the house as you stood at the doorstep.”

Esposito placed her hands on the top of the stand, “I was standing next to the suspect, just inside the doorway and my colleague was talking with Mr Moore. I looked down the hallway and saw, laying on the floor, what appeared to be a piece of bloodstained cloth halfway down, on the floor.”

“And please tell the court, officer, was this piece of cloth under anything, a table, a chair, anything at all covering it?”

Esposito glanced up at the judge, “No, your honour, it was in plain view in the hallway.”

Angela sat, “Thank you officer, I have nothing further.”

“Your witness, Mr Lawrence, any cross examination?”
Judge Clinton looked towards Danny.

“Yes, Your Honour, just one more question to clarify matters. Officer Esposito you have just mentioned that you were standing ‘just inside’ the doorway when you saw the piece of bloodstained cloth and that it was not hidden from view in

any way, is that correct?”

“Yes, that’s correct.”

“Thank you officer, I have no further questions.”

Danny sat back down and Esposito stood as Judge Clinton said, “Thank you officer, you may go.”

Leaving the dock she felt a shiver moving down her back as she passed the Salerno thugs on her way to the door, feeling their eyes on her as she moved.

“Summary, Council, you first Mr Lawrence if you please.”

Danny almost jumped from his seat, “Yes, thank you, Your Honour. Officer Esposito has told this court that, at the time of the discovery of the evidence in question, my client was not under arrest and that he was in his own home. She further stated that she had not been given permission to enter my clients home. Whilst she states that the evidence was in plain view she admitted, under oath, that she was, ‘just’ inside my clients hallway when she saw it. She was not outside, on the doorstep as she first stated, but inside the hallway, hence inside the property. I put it to the court that the search and seizure of this property was illegal on several counts. Firstly, It was not in plain sight from outside the property. Secondly that officer Esposito’s entry across my clients threshold, prior to seeing the evidence was, in fact, an illegal entry and, finally, my client, at the time of the discovery of the evidence was at this own front door and had not, at that point, been placed under arrest, therefore the search was not incidental to a lawful arrest. Each one of these matters alone, I suggest, are reason enough for the evidence to be excluded under the Fourth Amendment and I submit to the court that the item in question should be excluded from evidence and, due to the grave nature and number of breaches of the Fourth

Amendment that all charges against my client should be dismissed.”

Danny sat back down, and looked at Angela as she stood.

“Your Honour...”

Judge Clinton angrily cut her off, “Mrs Bennett, do you really want to do this? Are you honestly, having just listened to the evidence given by Officer Esposito and the summary by the defence, going to stand, in my courtroom, and try to persuade me that all three of the grounds for excluding this evidence are in some way erroneous? Well? Do you actually have anything you wish to say to me at this stage?”

Angela lowered her eyes, looking down at her desk, “No, Your Honour.”

Judge Clinton nodded, “Thank you Mrs Bennett, you may be seated. It is my ruling that the item submitted should be excluded from evidence under the Fourth Amendment of the United States Constitution as being obtained in an illegal search. Further, I find that the breaches are of such a serious nature that I have no choice but to dismiss all charges. Case Dismissed!”

The Judge looked towards the dock, “Mr Moore, you are free to go!” Banging his gavel on the already indented, wooden desk the Judge stood and left the courtroom.

“All Rise.”

chapter three

Waleed Ovasse

OTIS GRIPPED HIS COFFEE mug with determination. That's what he'd taken to calling it to make himself feel better for the probable carpal tunnel he was giving himself. The thermos was slightly warm, as he'd been sipping on it lightly for most of the morning. He sighed as he took another sip.

He sat on a park bench across from the Court building, laying out the pieces to the conversation that was about to happen. While he was here on official business from the Mayor's office, the entire meeting could appear like a shake down rather than a gentle nudge. Although, he reminded himself, that after 12 years in the Marines, he wasn't sure if he really understood what gentle meant.

He took a swig and swung himself up from the bench and crossed the street. The issue was that he was just an aide to the Mayor. While it would be uncouth for the Mayor to lead this meeting, Otis almost felt like a second hand goon. He waved himself past the security guards, flashing his badge as necessary and nodding with propriety and authority before ascending multiple sets of old marble stairs. Judge Andrew

Clinton kept his chambers almost hidden in the back of the building. Otis had heard stories of how Judge Clinton hated to be disturbed. Which was why Otis had decided not to make an appointment. Even though the entire affair would be short, he wanted his presence to have some impact.

He rounded the last corner of one of the back hallways and found himself in front of the doors to Judge Clinton's chambers. Sitting at a desk just in front of the doors, Otis presumed, was Judge Clinton's judicial intern.

"Good afternoon, may I help you?" she asked, looking up from a large stack of papers.

"Afternoon," mumbled Otis, taking another sip of coffee. He checked his watch with a flourish. "I believe Judge Clinton should be returning to his chambers in a few minutes. His last case for the day should be wrapping up shortly."

"While that may be the case, is there anything I can help you with? Do you have an appointment?" she asked.

Otis smiled and stretched out his hand. "Otis Johnson. I'm here to see Judge Clinton."

She shook his hand lightly, taking her hand back immediately. "Kirsty Anderson, Judge Clinton's clerk. I don't see you on his appointments for today. I don't know if he'll be able to see you."

"I understand, however I am from the Mayor's office. I suspect he will want to see me."

"From the...Mayor's office," she mumbled. He watched her make the connections in her head, before she moved her stack of papers and looked at her calendar. "You could have made an appointment," she snapped. "Judge Clinton is very busy."

"I felt it would be better to just drop in and say hello. He and I, and the Mayor too, go way, way back," replied Otis. He

took another swig of coffee, hoping that this conversation would be over shortly. “I could just wait for him here, or perhaps in his office.”

“No, no, his office won’t do. He doesn’t like that,” she replied, gesturing to a chair by the wall. “Just wait here and he’ll see you as soon as he can.”

“Not a problem,” answered Otis. He dropped into the chair.

“May I ask what this meeting is regarding? I’d like to write something down about it all,” asked Kirsty.

Otis thought for a second, contemplating denying her request all together. The meeting was strictly off the books for a reason. But from experience, he knew that lawyers liked to take notes. He took a sip of coffee. “Law and Order,” he replied. He watched her scribble it down on a notepad.

“Law. And. Order,” she repeated, as she wrote.

“I’m absolutely loving the new season. I thought the Judge might have some useful critiques and we could compare notes. Fantastic show.”

She looked up from his notepad and glared. “I see,” she replied. “Sounds extremely important.”

“Oh, I promise you, it is of the utmost importance.” Otis sat back and closed his eyes, taking another sip of coffee. If his timing was right, it would only be a few more minutes before the Judge walked through the doors.

Judge Andrew Clinton wasn’t a large man by any means, he was shorter and pudgier than Otis, but there was something about his mousey hair and build that gave off a sense of having lived and worked in a court room for a long time. He came off as authoritative and judicial. Especially, as Otis’s eyes snapped open to see Judge Clinton standing above him.

“Good morning Otis,” said Judge Clinton, sneaking a smile. “I hope I haven’t made you wait too long.”

“Not at all, not at all,” replied Otis, getting up from his chair. “I wasn’t sleeping anyway.”

“Right, right, Just resting your eyes,” replied Judge Clinton. He waved Otis into his office and winked at Kirsty. “Block off 3-4 minutes for this meeting Kirsty. Then come and remind me that the Mayor’s office also has things to do today.”

“Yes sir,” replied Kirsty, smiling.

Judge Clinton closed his chamber’s doors and sat behind his desk, rearranging the papers in front of him. “And how may I help the Mayor’s office this evening,” asked Judge Clinton.

“The Mayor is concerned, Judge Clinton,” replied Otis. He took another sip of coffee, realizing that it had now gone cold. He took a larger gulp, using the luke warm bitterness to push him forward. “The Mayor is very concerned. Between the Moore hit and run case the other day, and your general numbers, he and I are very concerned.”

“Which one is more important Otis, he or you, or I?” Judge Clinton replied.

“This is serious sir.”

Clinton looked up from his papers. “Remember which side of this desk you’re sitting on.”

“Yes sir.”

“Proceed with whatever you’re here for, Otis.”

“Your conviction rate is down, sir.”

“Laws are laws. People don’t always break the law.”

“The Mayor ran on a platform to increase law and order. Safer streets, safer homes.”

“Good show, too, right?” smirked Judge Clinton.

Otis sighed. “Your term is expiring at the end of the year,

and without the Mayor's support, re-appointment will be difficult."

"I think you mean impossible," replied Judge Clinton. He pushed himself back from his desk and leaned back in his chair. "Proceed, Otis."

"Convictions are down. Law and Order. We need to get back to that. The Mayor wants to make sure that you remember that." Otis could feel that he was losing traction and relevance in the conversation.

"Anything else that the Mayor wants me to remember? Perhaps the Mayor's office could send me a memo every week, or maybe even every day."

Otis took another gulp of cold coffee. This wasn't going the way he had expected. "Your tone in the Scott Moore case was inappropriate, sir."

"Now we get to it. I acquitted the man, and I know his history with you, and with the Mayor, and with the Mayor's campaign. And you're upset with my...tone?"

"Yes, sir."

"I acquitted him, Otis."

"Yes, sir. You did."

"Do you know why I acquitted the man? Because of the law."

"Yes sir."

Judge Clinton got up from his chair, indicating that the meeting was over. Otis looked at his watch. He had expected it to last a little longer than it had.

"The Mayor's Office would like to remind you that law and order are important to this City and to the Mayor. We would like to remind you that an increase in conviction, to create safer streets and safer homes is important to us, and a goal for this Mayor's administration," said Otis, stretching out his hand.

Judge Clinton looked at Otis's outstretched hand and declined to take it. "And I'd like to remind the Mayor's office that I have other options."

"I apologize, sir. I don't understand."

"It means I won't be putting innocent people in jail, Otis."

"Yes sir."

"The door's behind you. Have a great day. I have important work to return to," said Judge Clinton. He sat back down his chair and began rummaging through his stacks of paper.

Otis stood, staring at the Judge for a moment before turning on his heel and retreating. Kirsty sat at her desk and looked up at he walked out. "Have a great evening and enjoy the new season!" she said as he walked out.

The humid evening air hit him as he walked onto the street. He had gone into the Judge's chambers with a purpose, and although he hadn't wanted to shake the Judge down, he had a feeling the Judge had shaken him down. It wasn't clear if the Mayor's message for the Judge had sunk in. He took a deep breath. At least the Judge understood that the Moore case was important. The rest of it though, was a little unclear.

He walked towards the Mayor's office, deciding to take the long route as he tried to come up with how he'd explain the meeting to the Mayor. Hopefully, he wouldn't be shaken down again.

chapter four

Greg Ray

STATE PROSECUTOR ANGELA BARRETT and counsel for the defense both stood up. Barrett approached the bench first.

"The State, after due consideration and in consultation with counsel for the defense, will withdraw the charge of sexual assault in favor of the lesser charge of simple assault, on condition that the defendant plead guilty to said charge."

"That's a hell of a thing."

"Your honor?"

Judge Clinton looked Barrett in the eye. "A hell of a thing, counselor."

Barrett didn't flinch. "Your honor's disapproval is duly noted."

"What I don't approve of is snark in my courtroom."

"Your honor."

"And what say you?" the judge said, meaning the counsel for the defense. Counsel stepped forward.

"To the lesser charge of simple assault, my client enters the plea of guilty."

The judge avoided looking at the defendant himself —

who was seated just behind where his lawyer stood. He didn't want to see the man's face — disgusted by what he might see registered there. After years on the bench, it was so easy to see what they were thinking.

He exhaled. "Well then." At such moment, he regretted not for the first time that they had done away with the gavel. He felt again just that little bit that he really would like to hit something.

It had been a busy morning. Barrett was huddled in the hallway giving last minute instruction to one of her aides when someone brushed by them in a hurry.

"What the hell, Barrett?!"

She looked up to see Judge Clinton barreling away down the hall, robe tails flying. There was no reason for him to have rushed close by them like that.

Her aide looked after Clinton. "Uh-oh, that doesn't sound good." But when the aide turned back to her, the look of concern which had flashed across Barrett's face was already erased.

City Hall Park drew a regular lunch crowd — over-dressed people, men and women in nice suits, incongruously picking over pricey low-brow takeout.

Angela Barrett sat alone on her usual park bench — a shaded spot within earshot of the fountain — eating a light box lunch. Barrett favored this over closer-by locations like Columbus Park. Being some distance from the criminal courthouse, it afforded more psychological elbow room.

But she had only just started her lunch when Judge Clinton approached her bench and stood a moment unnoticed.

"What— What in heaven's name, Angela?"

Barrett looked up, surprised, and registered the frown on Clinton's face.

He took a seat on the bench at a distance that marked his annoyance.

Barrett smiled at him. "I didn't figure you for the lunch box set, Judge."

"Needed a stretch to clear my head." He nodded in the general direction of the courthouse. "Surprising morning at the office."

Barrett straightened in her seat and closed the flimsy lid of her box lunch.

Clinton turned toward her. "You had a case, counselor. What happened?"

"You know how these things go. It was better for us to deal and move on. It was far from certain we'd get a conviction otherwise."

"You made a compelling case at pre-trial hearing. Last I checked, that is what pre-trial is for."

"With respect, this was the best thing for the State ... and the Court. The uncertainty and the expense of taking this one to trial."

"And justice? I'm sorry I didn't hear you mention justice."

"Well, we have a conviction."

"A misdemeanor! That is a far cry from sexual assault and you know it. You might as well have charged him with jaywalking."

"That's not fair."

"What changed? You convinced me *and you were convinced*, I believe, that this was a case deserving of the Court's attention. It's not the certainty of conviction that wins a hearing, its the substance of the case. You know that. So, what changed?"

"I think you would know better than anyone that the court

system is paved with compromised decisions."

"What is that supposed to mean?"

Barrett carefully set the white lunchbox on the bench in the space between them.

"I just meant that, as a judge, you see and preside over cases every day where there are no perfect options. This isn't any different. We don't have the luxury of perfect options. I don't know that there *are* any perfect options. What I do know is that we are walking away from this case with a conviction in hand."

"A conviction, is that it? Your conviction rate? You know, I remember when you came to us — what? — two or three years ago—"

"Five."

"Five years. Smart, ambitious — always on the mark. I've seen it happen — to smarter, better prosecutors than you. And I get it, god knows I do, we all work under the pressure — the call of expediency. But you know what else is in our job description? To fight like hell. To resist those compromises. A system of expediencies is a department of justice in name only.

"You're too young to have seen it, but I've seen it in my time with the law — and I'm not that old! The number of people we incarcerate has tripled, and the numbers are still going up. Longer sentences. Greater recidivism. You name it."

Her face was inscrutable to him. A moment before there was annoyance, but now she was giving him nothing. It was disconcerting to him and he had to catch hold of his train of thought lest it elude him.

"Mandatory sentencing. We've taken sentencing out of the hands of judges — where it properly belongs — and put it in the hands of minimum sentencing statutes and all that. Let me

tell you something. Where did you school? Never mind, doesn't matter. Back at the time it was all about how *indeterminate sentencing* was inherently unfair. But we all know disparities in the prison population are greater than ever."

He looked away and up at the light filtering through the trees on the far side of the walk. The unsettling way in which judicial practice had shifted just as he was coming into his career was a genuine and abiding concern of his, but that was not what he wanted to talk about.

"But look, uniform sentencing policies doesn't do that all on its own. No, for that you need something else. You need to drive conviction rates up. To measure your prosecutors and even judges by their conviction rate. The deleterious effects of which are obvious to anyone."

"That's not what this about." Her voice was clipped, her face still set — or had it just gone so cold?

"Isn't it? Don't we wind up where we are because white architects, like Mr. Saunders, get the deal while those two black boys they collared up in Queens are in shit trouble — on a far weaker case than yours, I might add?"

"Judge Clinton, I resent the suggestion you are making." She spoke in a matter of fact way. And this upset him too.

"And what do you say to the victim? Does she even know what you have done? The compromise *you* have made today?"

Barrett stood up sharply. "I have to go. I'm due back."

He looked away at the fountain. "Of course."

A few steps away she tossed the white box in a nearby park trash can. She stepped back over to the bench.

"Are you heading back, also?"

Clinton did not turn to look at her. He recognized the calculation she had made and it angered him further.

"No, counselor, you go ahead."

Clinton closed his eyes and listened to the patter of the nearby fountain. He was angry. *What was he trying to do? What did he want? A fight?* She wasn't going to really stand up to him like that — *could not afford to*. She just waited him out, held back, did the calculation, took the hit. More expediency. Was there no escaping it?

He drew a long breath and didn't know anymore if he was more angry with her or with himself.

Someone else sat down on the far end of the bench. Clinton looked again at the fountain. You throw water up in the air in a pattern and it always looks and sounds so fresh, so cool. It was an easy illusion. That water would be tepid — hot even — on a day like today, and nothing fresh about it. A small quantity of water trapped in an endless cycle, forced through narrow channels into pointless display.

chapter five

Ryker Hayes

IT WAS LATE IN the evening, sometime after eight pm. Judge Clinton didn't know. He didn't like looking at the clock after six pm when the majority of his coworkers had gone home. It made him feel guilty to know he had worked past dinner time again. His wife Amy didn't like it when he worked late, but she didn't call him when he did because they both knew it didn't make things better. He was in his office sitting in his dark maroon leather chair and his eyes ached from staring at his computer screen for so long. There was too much work to do this month and with the election coming up next year he didn't have time to spare a thought for his neglected wife. She would understand. Besides, it was safer for her if he stayed away from the house.

The latest case to come across his desk was the rape of a prominent business woman. He had finished looking over the evidence and had finally made his decision to dismiss the case. The prosecution had completely fumbled the evidence and the defense had five witnesses willing to testify the defendant had been at a social gathering at the time the prosecution said the

rape had taken place. Add in the fact the woman hadn't had a rape kit done afterwards his hands were tied. At least in this case the only backlash would be verbal not physical.

Clinton took off his reading glasses and rubbed his face. It was cases like this that he struggled to leave behind at work. He felt horrible for the woman if she was telling the truth and wondered if it was wrong to hope she was lying since the case had failed. Was it better to wish that she lied than to admit he had to let a rapist walk free? Now couldn't have been worse for a case like this to come across his desk.

Otis Johnson was on his ass about his low percentage of convictions. This wasn't a personal decision. He was doing his job and his job was to make sure the United States laws were upheld. Innocent until proven guilty. Those were words he lived by.

It was those words that were going to get him killed. He'd been living in fear since he threw out the Moore case. What could he do? The police had screwed up when they obtained evidence through an illegal search and he had to throw the case out. His hands had been tied.

A knock at the door made him jump. His right hand grasped the handle of his middle desk drawer and started to open it.

"Judge Clinton? Are you busy?" asked a hesitant female voice.

"Come in." He replied. He quickly closed the drawer hiding the contents.

The door opened to reveal one of his judicial interns, Kirsty Anderson. She had on her Duke sweatshirt in place of her typical black blazer. He had been correct on the time because she only wore that sweatshirt after seven pm. Her shoulder length brown hair was pulled back in a messy bun

and she held a thick manila folder pressed against her chest.

“Here is the memorandum from the Heckler case.” She said as she placed the folder on the corner of his desk.

“Thank you, Miss. Anderson.” He reached across the desk and moved the fold onto the pile of other memorandums waiting for his attention. His chest tightened at the sight of the ever growing stack. He didn’t have time for this. His time needed to be devoted to finding a way to put Moore behind bars.

“I finished my juris doctor degree a few months ago.” Kirsty brushed a few hairs that had come out of her bun behind her ear. “Have any full time positions opened?”

“I’m afraid not.” Her position at the supreme court was an unpaid internship to gain experience. She was a good worker and he would have liked for her to stay on staff, but all paid positions were filled at the moment. He wasn’t going to suggest it, yet he hoped she would ask him to be a reference on her resume. Her skills were sharp and he saw a successful future in law before her. Part of him wondered in light of his circumstances, if he should warn her against a career in their field.

“I’ve been sending out applications.” Kirsty said, but her eyes shifted away from his. He wondered if she was lying or if the number of applications was one.

He nodded then turned back to his screen. Tossing out the rape case gave him time. He had asked the police commissioner Thompson to help him build a case against Moore. Thompson wasn’t concerned, but he wasn’t the one on the wrong side of Tony Salerno.

“Has Mrs. Koster’s given you your case schedule for next month?” Kirsty rested her hand on her hip and bit the corner of her lip.

He turned back to his computer and opened the upcoming court schedule. “Yes.” He searched the document for her name. She had been assigned to a fraud case happening in three weeks. Before he could turn the computer screen to face her, Kirsty had come around to his side of the desk.

“Thank you,” She pulled from her slack’s pocket a small notebook and pen then leaned in close to the screen.

Clinton found himself suddenly hyper aware of his personal space. As she leaned in even closer, he sat stock still. The shoulder of her sweatshirt brushed against the arm of his suit jacket. The smell of old books was replaced by the strawberry scent of her freshly washed hair. Her free strands of hair fell loose from behind her ear and brushed against his cheek as she moved back.

He felt her breath on the back of his neck as she spoke, “You really helped me out.”

“I’m glad to be of assistance.” He kept his eyes locked straight ahead, afraid of accidentally moving his head to the side.

Kirsty slipped her notebook and pen back into her pocket then made her way across the room to the door. “Have a good evening, Judge Clinton.” She said with her hand on the door knob.”

“Goodnight, Miss. Anderson.” He picked up a newspaper off his desk and opened it as a nonverbal dismissal. He heard the door close as she took the hint. Slowly he let out a pent up breath and made a mental note not to be alone with her again during the rest of her internship. What she hoped to gain from seducing him was beyond him. From his graying hairs and growing age he knew it wasn’t out of any sense of attraction. Maybe it would be a good idea to go home after all.

As he went to put the newspaper down one of the

headlines caught his eye.

Scott Moore, the Killer of Notorious Crime Boss Toby Salerno's Son, is Missing.

Oh no. Oh no. Oh no! The newspaper fell out of his shaking hands. Amy and Jean. He had to do something. He opened the desk drawer and removed his glock nineteen. It was a recent purchase and he hadn't had a chance to fire it yet. He hastily shoved it in the waistband of his slacks and went to his car. His hand was shaking so hard it took him two tries to get his key in the door. He didn't call ahead but he knew he didn't have to. Police commissioner Thompson would be there.

The drive to the police department lasted for an eternity. It had to be dumb luck that he hadn't been pulled over. He didn't know how fast he'd been going, but it hadn't been the speed limit.

He took the stairs two at a time then pushed the door open. A few people waited in the front in chairs. It may have been closer to eleven but this was New York. There was always crime happening.

A woman was talking to a female officer at the front desk. Clinton stepped in front of her and cut her off.

"I need to speak to commissioner Thompson. It's ur-" Before he could finish a police officer exiting a hall to his right cut him off.

"Hands in the air!" He shouted as he drew his weapon from his side.

"What the hell?" Clinton yelled as he stepped back from the front desk and raised his arms. He hadn't meant to shout. Adrenaline had been coursing through him since he saw the newspaper article.

The woman next to him let out an involuntary shriek and

fell back against the wall. His heart hammered against his chest and his breath was loud in the silent precinct.

“Turn and face the wall.” The officer with the gun ordered. The barrel never left his chest.

Clinton quickly turned around and pressed his chest against the wall. He kept his hands in the air. His palms felt sweaty against the peeling paint.

The woman scurried back from him and tripped over the leg of the closest chair. She fell backwards into the seat next to another woman in a slip dress. Prostitute.

“Keep your hands in the air.” The cop ordered.

Clinton felt hands against his waist. In the corner of his eye he saw the face of the officer who had been seated at the front desk. The office reached around to his front and removed the gun from his waistband. The gun!

Clinton cursed under his breath. He’d forgotten it was in his slacks. A bead of sweat dripped down the side of his face. How could he have been so stupid?

“What are you two doing? Stand down officer Randolph.” He recognized commissioner Thompson’s harsh resounding voice. “This is Judge Clinton.”

Clinton took his hands off the wall and slowly turned around. The officer with the gun had holstered his weapon. The female officer was standing to the side, his gun in her hands still.

Commissioner Thompson stood in the hallway next to Clinton. The anger in his eyes blazed. He held his hand out to the female officer and she gave him Clinton’s gun. “Officer Randolph, Officer Corrillo tell Officers Chapman and Kroeger to take your places in the front of the precinct. Now!”

“Yes, sir.” Officer Corrillo said. They both quickly left down the right hallway.

Waves of anger came off Thompson as he glared after them. “They’re two new hires.” He explained. “They didn’t recognize you.”

“No, I shouldn’t have brought the gun in. It was my mistake.” Clinton’s voice was still an octave too loud. His heart was slowing down. The panic he felt in the moment was dissipating.

The two waited in silence until the two other officers entered the room. Thompson turned and went back down the hallway he’d come from. Clinton followed him into his office without an invitation.

“What is this about?” Thompson asked as he took a seat behind his desk. On the pale blue wall behind him hung his framed diplomas and multiple awards from the city. He set the gun on his desk. Although covered in his papers, his desk was more organized than Clinton’s.

Clinton stood behind one of the chairs facing the desks. He grasped the back of the chair. The sweat on his palms made his hands slide on the leather backing. He licked his lips then spoke, “You didn’t tell me that Scott Moore is missing.”

“I didn’t think it was important.” Thompson rested his forearms on the desk and leaned forward. His fingers intertwined in front of him. His calm demeanor only angered Clinton more.

“Damn it, Johnson.” He snapped. “I told you I needed to know everything you know about Moore!” His voice rose against his will. He slapped a hand against the chair. “I am a target! That means Amy and Jean are in danger.”

“Calm down, Clinton.” Thompson ordered. He glared back at him. He leaned back in his tall backed chair. “You are not in danger. Think about it, with Moore gone Salerno has to focus on finding him. You’re free.”

Clinton took a hankey out of his pocket and wiped the sweat from his brow. His hands began to shake again. “I dismissed Moore’s case. I let the man who killed Salerno’s son walk free. I am a target! You need to take this seriously.”

“I am taking this seriously!” Thompson slammed the palm of his hand against his desk and stood. He pointed a finger at him. “Don’t you tell me how to do my job. You are the reason you are in this mess. You are the one who continues to let dangerous criminals stay on the streets. The system is broken in your court.”

He crumbled the hankey in his hand. “You have to find Moore.” Clinton growled back. It was his only hope.

“I assure you,” Thompson picked up the gun from his desk. “It is unlikely we will ever find him. If we do, it’ll be in pieces.” He stuck the handle of the gun in Clinton’s hand. “Leave my precinct.”

chapter six

Tim Edwards-Hart

JUDGE ANDREW CLINTON STARED at the closed door to his chambers. He knew he had work to do, but he couldn't settle. He was restless and just wanted to pull on his track gear and go for a run. Instead, he stared at his door and steepled his fingers to his mouth.

When Andrew first met Amy all those years ago, she helped him learn to recognise these moments. He had always been strictly rational, applying logic to whatever problems he faced. Amy taught him to use his intuition as another source to inform his logic. At first he thought it was hippy nonsense but she was hot, and he was young, so he thought he would play along. She taught him to slow down, breathe, and pay close attention to what he felt and what he thought. Not why, only what. As he spent more time with her that summer, he began to notice that sometimes he really did feel things before he knew them. One of the first things he came to know from pausing to pay attention was what he really felt about Amy. He proposed the next day. Twenty-something years of marriage later showed it worked.

Over time, Andrew began to think of of these moments as his subconscious noticing something that his conscious mind was yet to recognise. The same process of slowing down and paying attention to what he felt lead him to leave his private practice to work for the New York courts. Later it lead him to seek nomination, and hence be elected, to the judiciary. When he paid attention to these moments, it paid off.

Andrew's fingers tapped absently on his lower lip. What had he noticed this time? What was he feeling? What were the thoughts that came unbidden?

"It's not right." He surprised himself by saying the words out loud.

What wasn't right? He could feel the truth of the thought – something definitely felt wrong. He really noticed it after the Moore case. At first he thought it was because of the case itself. The initial brief and evidence submitted to the court seemed straightforward, but the whole case was dropped because of a technicality. Despite his personal misgivings, the legalities were clear and he had applied the rule of law to the facts presented.

"Not the *why*, the *what*."

He wasn't really bothered by why the case was dropped, or even that someone who was probably guilty avoided trial – he didn't like it, but it wasn't the issue. No, what really bugged him was that this was yet another case before him that had ended prematurely. It seemed there were a lot of cases like this recently. There was the missing evidence in the Lancaster case, the endless plea bargaining of Johnson and the Reynolds cases. And the Jackman case. He could think of at least half a dozen cases like these.

Andrew didn't think he'd seen even a dozen such cases in the previous thirty years, yet here were now a dozen in less

than a year.

Judge Andrew Clinton lowered his hands and picked up his phone.

“Julie, find the new intern and ask her to see me. Soon as possible. I have a task for her.”

Kirsty was startled when Judge Clinton’s secretary called her to say he wanted to see her straight away. She dropped what she was doing and raced to his chambers, convincing herself on the way that he was going to fire her. She must have looked a state when she arrived as she could barely keep her voice steady and couldn’t sit down. To hide her nerves, she stood in front of an Andy Warhol painting and pretended to look at it. The secretary — Julie (bless her) — wasn’t fooled and offered a glass of water. Without waiting for a reply, she brought it over and whispered, “It’s OK, he’s got a job for you.” Kirsty almost fainted with relief.

Now she was sitting in his chambers, waiting to hear what Judge Clinton wanted her to do. She suddenly remembered the rumours about some of the other judges, and was doubly grateful for Julie’s words of comfort.

Judge Clinton still hadn’t spoken, he sat there looking at her, fingers pressed to his chin. Kirsty waited, eyes scanning the volumes of legal texts filling the bookcases that lined his walls.

“Kirsty.”

She blinked at him in surprise. This was the first time she had heard him say her name since they were introduced on her first day.

“I need your research skills, but this task is a little... different.

“Something’s not right. As servants of the court we are

tasked with ensuring that the law is applied fairly and dispassionately according to the facts presented before us. But something's not right."

He held up a file. Kirsty recognised it from the Moore case.

"It's unlike the police prosecution team to screw up, so find out why this case went wrong. And if there's time, tell me if there's any reason to suspect a link with any other cases, starting with these." He held up a piece of paper with some handwritten notes on it.

"I need you to be discreet. And I need you to be fast. Any questions?"

"Anything I should be looking for? Is there something you want me to find?"

"What I *want* you to find is nothing, but I think you'll find more than that. Beyond that, all I know is that every single one of these cases was withdrawn and I'm no longer convinced that was because of the reasons put before the court. Start with this one," he handed her the Moore file, "but I want you to know about the others in case it helps. Let me know as soon as you have something to report."

It took less than two days for Kirsty to find what she was looking for. In her excitement, she stood beside Judge Clinton's chair as she laid out her findings on his desk.

"The police left out crucial evidence in their submissions to the court. Look..." She pointed to a copy of a police report on the table.

"The officers on the scene report that Scott Moore initially agreed to talk with them, but then attempted to run when they asked about Mark Salerno. So we have implied consent, then probable cause. But also the officers could see what looked like blood stained clothing in the hallway behind him – which

is probably why he tried to run. According to Maryland and Macon, 1985, a search is lawful if the items are in plain view.

“The implied consent argument might not hold, but the probable cause and visible items are both strong reasons for police to enter the premises. But none of this was presented to the court. Without it, then the only logical conclusion is that there was a breach of Moore’s Fourth Amendment rights – which was your finding when you dismissed the case.”

Judge Clinton sat back in his chair.

“Any links to others?”

“Maybe. I haven’t had time follow up, but there is a possible link with at least two so far.”

“Go on.”

“Well, the father of the boy who was killed is Tony Salerno. He is thought to be a mob boss, but if we stick to the known facts, he’s a businessman. He runs a waste management company, and a consulting business. One of the cases you listed involved one of his staff, but the case was dropped when the evidence was lost. Tony’s consulting business is to local unions. And one of the plea bargaining cases involved a union rep. And Scott Moore has disappeared since his case was dismissed. None of this is evidence, but it seems a strange coincidence. The question is, ‘Why?’”

“No not why, only what. Always focus on the what.”

chapter seven

Nick Calvert

“WHAT TIME DOES IT leave? Uh huh... Okay Jason, I’ll see you there.”

Danny Lawrence frowned as he replaced the receiver, glanced out of his office window and muttered a curse; the traffic was crawling.

He told Maybel, his personal assistant, to re-arrange his day’s appointments, except for the last one; his daily briefing with Frank Cole.

“Can I tell them why?”

“No, sorry.” Danny said, and smiled to lessen the sting. Maybel liked to be in the know and when she wasn’t his coffee often arrived weak, and in a chipped mug. She was far too efficient to sack.

An hour later he pulled into a customer parking bay by pier 3, Sheepshead bay.

Jason Fishman watched from the deck of the Princess Of The Sea as Danny parked his Porche. Watched as Danny walked over to the booking office as the bright red car’s soft top

locked into place. Jason wasn't envious per se. Sure, he'd have liked a Porche, but this was New York, and there were far too many scuzzoids who took pleasure in demolishing other peoples' toys.

Ten minutes later Danny, wearing cut-off jeans and an old NYU T-shirt, arrived beside him at the railing on the upper deck.

"So, why..." Danny said in a loud voice.

"Shh. We'll be underway soon, then we can talk."

"Uh huh. You know you're a tad paranoid, Jason?"

"I do, and it's for good reason."

They'd met in the seventies at the beginning of their first year at New York University. Both had been taking law, but only Danny had had an end goal in sight. Together they'd plumbed the depths of student debauchery and become the best of friends. In their third year Danny had fallen for Annabeth while Jason had had an offer he couldn't refuse and had dropped out.

Side by side they leant on the railing and watched as the bow and stern cables were released. The boat backed slowly away from the jetty, then turned towards the open sea. There was a squark from the tannoy.

"This is the captain. I'd like to welcome you all aboard the Princess Of The Sea and our ten o'clock Dolphin and Whale watching excursion. The trip will last three hours and if yesterday was any indication there is a large pod of dolphins in the bay.

"We have a snack bar and gift shop in the aft cabin. And as it's forecast to be another sweltering record breaking day, may I remind you all to keep hydrated. The snack bar serves a deliciously refreshing iced tea, and for those who forgot their cameras they have disposable ones at a very reasonable price.

“We will be on station in under an hour. I wish you all a pleasant voyage.”

The passengers started milling about and Jason decided it was safe to talk.

“You ever seen the Gene Hackman flick ‘The Conversation?’”

“What? No,” Danny said, confused, “fraid I haven’t. Why?”

“It’s about a surveillance expert who can capture conversations anywhere. Literally. He has help, of course, but that’s not the point.”

“And the point is?”

“The point is that I didn’t want anyone overhearing us. Frank Cole is fucked, and I really, really don’t want to see you end up in an orange jump suit, too.”

“They’re close then?” Danny asked.

“You know I had the hots for Annabeth, once?” Jason said.

Danny barked a laugh, and grinned. “Me too, Jason. Me too. She’s free and living high on my dollar, if you’re still interested.”

“Na. My point is you always have to temper your expectations with the possibility or maybe the certainty that you’ll end up disappointed.

“Remember that Barber we used to go to?”

“Close shave Brian the razor?”

“Yep. Well, they’re as close to Frank Cole as that.”

“Fuck!” Danny said as he thumped the railing.

“Yeah. Sorry I don’t have anything more positive to tell you. You’re okay, though?”

“Yeah. I had opportunities, but Frank pays me well enough that I didn’t... well, you know.”

“I do. And the Porche?” Jason said quietly.

“If you must know it was a present from my grandparents.”

“Just checking, Danny.” Jason wrapped an arm around his friend and squeezed, then let him go and put his hands back on the rail.

The boat’s engines throttled up and with squeals from those on the lower deck the bow wave got bigger.

“Oh, wow!” Danny said in an awed voice as the first dolphins of the day started breaking the surface and riding the bow wave.

“I thought you’d like it.” Jason said.

“Like it? I love it! Why have I never done this before?”

“It’s easy to take your own town for granted, Danny. I’ll bet you’ve never been to the top of the Empire State, either.”

“No, I haven’t. Have you?” He glanced at Jason quizzically.

“Sure, but only on assignment.”

“You work for me.” Danny said.

“Presently, bud. Presently.” Jason said, reaching inside his windbreaker, pulling out a small envelope and handing it over. Danny frowned, then folded it and slid it into his back pocket.

“Thanks.”

Frank Cole was sitting behind his oversized walnut partners desk smoking a large Havana and sipping a glass of what was probably single malt when Danny finally arrived.

The journey back had been a nightmare of bumper to bumper traffic, and even though it was sweltering Danny had had to put the roof up and use the car’s air-con to avoid the exhaust fumes. Even listening to Mariah Carey’s new CD hadn’t helped his darkening mood.

“You’re late, Danny.” Frank Cole said mildly as Danny slid

into the leather visitor's chair. "Why is it you're always late?"

"I had to see my undercover man, Frank. And no, I'm not always late.

"Well then, why is it you can't be bothered to wear a suit?" Frank said, leaning back and stretching.

"I do in court. Besides, you don't employ me to wear a suit."

"True enough. Cigar?"

"No, but I'll take a drink. You might want a top up, too."

"You think it's bad then?" Frank said, waving Danny over to the wet bar to help himself. Danny filled two glasses with ice, then added scotch. Handing one to Frank he sat down again and took a sip; then a deep breath. Frank Cole generally did what Frank Cole wanted to do, and it was difficult, if not impossible, to get him to change his mind.

"Frank. Speaking as your in-house attorney I have to tell you that according to multiple sources you are close to being indicted on both state and federal charges.

"Close is always relative, but seriously, it's not looking good. They have pretty much everything they need based on your Community developments in Queens and The Bronx."

Frank closed his eyes and leant back in his chair. "Don't worry Danny. I'll get Broderick to sort it out. They can go after Fred Trump and his swine of a son, instead. That'll give them the column inches they want!"

"Sir, they've already had a go at the Trumps. I was told that they think you're an easier target."

"So where did this come from? And don't tell me it was Broderick, because I wouldn't believe you. Edward and I have been hand in glove since the first time I funded him to run for Mayor.

"Well?"

“If I had to guess, and a guess is all it is, I’d say it’s about the next Mayoral elections. Otis Johnson, Broderick’s senior aide, was seen dining with Giuliani. And as you know Giuliani is tight with the Trumps.”

“No. No! It’s a good theory, Danny, but I think you’re... what’s the phrase? Something to do with dogs and trees?”

“Barking up the wrong tree?”

“That’s it! And that’s what you’re doing. Don’t worry. I’ll speak to Broderick at the Four Seasons, tonight. I trust you have a suit suitable for the occasion?” Frank gave Danny a wolfish grin.

Danny Lawrence was worried. With the meal and speeches over he watched the body language of those sitting on the Mayor’s table and his worry deepened. Frank was sitting to the right of Mayor Broderick—an honoured position—yet Broderick was ignoring him, talking instead to his chief adviser Otis Johnson, and occasionally smiling at Otis’s partner. Finally, Danny saw Frank turn to the lady sitting next to him. She began to smile as Frank turned on his charm.

The orchestra started up, and soon couples began to dance.

“Do you think we charged enough?”

Danny snapped to, realising the elderly brunette to his left had put her hand on his arm. “I’m sorry. I was miles away. How do you mean ‘charged enough?’”

“Well, we settled on five thousand a head, but some of the committee thought we should have asked for ten.”

“I think that you made the right choice. It’s a fine line. Ask too much and you have empty seats.” Danny looked around the ballroom. “And as you can see it’s full.”

“Oh, I’m so glad you agree!” The brunette purred in Danny’s ear. “Perhaps we can have a dance?”

“Oh, I am so sorry, but my employer just beckoned,” Danny said, unentangling himself and getting to his feet.

“Don’t be a stranger,” the brunette said. Danny smiled at her as he walked over to the Mayor’s table where they had all pushed back chairs and got to their feet.

“Mayor Broderick, let me introduce my in-house lawyer Danny Lawrence.” Frank said, smiling with a bonhomie that Danny could tell was fake.

“An honour Mayor Broderick,” Danny said, holding out his hand. The Mayor shook with a slight grimace as the press photographers’ flashes blindsided him. Ushering Danny out of the way Frank stepped quickly in and slung an arm around The Mayor’s shoulder, his other hand clasping the Mayor’s as they both smiled at the cameramen.

chapter eight

Kristie Claxton

DANNY RUBBED THE HEAL of his hand over his eye. He could feel the start of a headache coming on, and it wasn't going to be good.

Paula King sat in the chair across from him. Her long legs, which he knew for a fact were just about perfect, were hidden inside a pair of slacks. But fortunately for him, the blouse she wore was about as see-through as you could get and still be legal. The swell of her breasts was visible since she left just enough buttons undone. Her dark hair cascaded around her shoulders. He was pretty sure she did it to lighten the blow of what she found out. Give the boss a bit of good news before slapping him in the face with bad.

The report she just handed him was bad news.

"How sure are we about this?" he asked.

"I wouldn't have brought it here if I wasn't 100 percent on it," she said. She flicked her hair off her shoulders and leaned back in the chair, exposing her natural assets.

"That's what I was afraid of."

His eyes traveled over her. Maybe if he could imagine

something good, he wouldn't have to worry about the shit that was coming down.

"Where did you get this?" he asked, picking up the report with two fingers, almost as if the papers carried some dangerous disease.

"I have a few friends who are close enough to the happenings at the court."

"Close enough?"

Paula shrugged, "Judge Clinton is smart. He vets his people well. Those who are around him wouldn't talk, at least not to those they don't know. I've talked to enough people and did a bit of research on my own. This is a report you can trust."

Danny frowned. He got up and paced in front of the windows. His office on the 27th floor had a great view. He'd dreamed about a view like this ever since he was a clerk. He loved this office, his sanctum sanatorium. Tonight, it felt stifling.

"Drink?" he asked, pouring himself one from the small bottle he kept hidden behind his books. Paula shook her head. He wasn't sure why he hid his booze. Most everyone in the firm drank and had a bar set up of one sort or another in their office, so there wasn't a reason for him to hide his. Plus, it was late enough on Friday that most of the office had left for the long weekend. The firm had a lot on their plate, but there was enough work to keep everyone busy and to allow those who wanted to go home early the opportunity too.

He walked back to his desk and collapsed in his chair, a flyer emblazoned with Frank Cole's face looked up at him. Frank's mouth was filled with brilliant white capped teeth, his overly tanned skin all but glowed, 'A NAME YOU CAN TRUST', Cole's slogan sat centered at the top. It matched the

ten park benches, 20 or so buses, and the countless subway ads. No matter where you looked, Cole's face could be found.

The report on his desk was the last thing he should be worried about. Danny's vacation was coming up. Two weeks in Ibiza, sun and sin was what he should be focused on, not whether jail was in the future.

"All right, All right," he said, leaning back in his chair and letting out a long breath. "Let me talk to him. Let me see what he says. Maybe we are worrying for nothing. This is not the big deal we think it is."

Paula tried to stop the smirk, but it still sneaked through.

"I hope for your sake you are right?"

She stood up and walked to the door. Danny couldn't help but watch her as she walked away, still trying to will good thoughts into his head. When she got to the door, she stopped.

"Who's ass are you going to save Danny?"

For a minute, he was sure she could read his thoughts.

"What do you mean?"

"Finish reading the report, then read it again. You've got as much at stake as Frank Cole does. This is a solid report. Something is coming down the pike. I know you like a challenge, but this may be too much, even for you."

She smiled and closed the door behind her.

Danny nodded, picked up the phone on his desk, and stabbed at the keypad.

"Cole!" Frank screamed into the phone.

"Frank, it's Danny."

"Danny, you've got to make this quick we were getting ready to eat."

Danny rubbed his eyes again and took a quick look at his watch. Almost nine o'clock on Friday. There wasn't going to

be much they could do right now. Maybe this could have waited until Monday. No, he was leaving for Ibiza on Sunday. By Monday, he would be too drunk even to be thinking about this place. He had to get ahead of this today. Maybe they could figure out something, get on top of this.

"Danny, Danny, I'm sure you called me just so I could hear you breathe, but I've got some stuff going on. You wanna hurry this up?" Frank asked, bringing Danny back to the present.

"Oh, um, sorry, it's just I need to talk to you about something."

"So talk."

Danny could hear Frank's deep inhalation of breath as he lit a cigarette.

"We may have a problem, Frank," Danny said. Danny knew Frank. He had a 'what me worry' attitude about almost everything. No amount of trouble would cause Frank concern.

"What kind of problem?"

"I have a report. It seems there's an interest in some of the donations you've made."

"Interest? Who's interested?"

The headache that had been threatening was now full-blown.

"Yeah, seems like Judge Clinton has a bug up his ass. They are looking into some of the contracts you've acquired recently."

"Do I know Clinton?"

"No, no, I don't think it's a name we've heard before."

"So why is he in my business?" Frank asked.

"I can't tell you that I don't have an answer for you, at least not yet. Not sure if it is personal or a vendetta."

"Well, tell me I have nothing to worry about, and I'll have

nothing to worry about," Frank said.

"I've got to dig into this, look at the report, run through so many friends of mine," Danny said.

"You don't sound convinced," Frank said, lighting another cigarette.

Danny cleared his throat, looked at the report, and started to thumb through it.

"Roache, Nashville, and Lincoln."

Frank let out a low whistle. "That it?"

"There are a few more. Some I've never heard of so that could be good for us, but-,"

"You think I'm holding out?"

Danny didn't answer right away, but eventually said, "No."

Frank let out an enormous laugh that lasted a little too long for Danny's tastes.

"You know everything about me, Danny, for good or ill. If there were something I was holding out, I'd tell you."

Danny rolled his eyes. If Frank were holding out, that would be the exact thing he wouldn't tell him.

"So, you have to do the same for me." Frank finished.

"What do you mean?"

"I'll say again, tell me I have nothing to worry about and I'll have nothing to worry about."

"What they have now is speculation and conjecture. And nothing I see can lead back to me or you."

"Then, it seems like you wasted a phone call," Frank said.

"Maybe I did," Danny said, but he knew he'd be missing that flight to Ibiza.

chapter nine

S.R. Martin

“JUST DON’T PARK NEAR me,” Scott had said on the phone that afternoon. “I’ll park at the zoo and walk across the bridge to the ice skating rink.”

Frank recalled the shakiness of Scott’s voice. There was paranoia in it.

Why? thought Frank. *He’s scot-free...Scott free...*

Frank steered his car through the windy path of of the Great Central Parkway. He broke his focus on the road to see the headquarters of his childhood hero. The small, art deco building that housed Bob Moses’ Triborough Bridge Authority looked different on this night. It was darker than he had seen it before, with no office lights on.

A minivan swerved into Frank’s lane just ahead of his bumper. He slammed his palm onto the horn and held it there. The minivan sped away, its driver flipping Frank a bird.

As he topped the RFK bridge, Frank surveyed the horizon. Flushing Meadow appeared as an interruption among the lights.

Five more minutes, he thought.

He took the 111th Street exit. He had thought about parking in the zoo somewhere away from Scott, but the traffic lights favored a quick route toward the Unisphere.

He pulled into the employee parking lot next to the old New York State building. A lone streetlight provided enough brightness to detect a person walking into the park from the Zoo bridge. Frank cut the engine and sat quietly.

Across the street the spotlights that illuminated the Unisphere cut off. He listened as a lone maintenance truck drove away.

He rolled the driver's window down, imagining that he could catch a whiff of the ash heaps that predated the current park. The air stank of freeway automobile exhaust and garbage from the snack bar at the ice skating rink. It was a starless night, with low lying clouds that reflected the city lights of Queens.

He had almost nodded off when he heard the hissing of his name from trees that bordered the parking lot.

"Frank, I'm here!" Scott stepped from the trees to stand under a streetlight. He waved.

Frank smirked and waved a hand out his open window. He turned the key to power up the window, got out of the car and locked it.

Scott went back into the trees. Frank shook his head.

Again with the hiding, he thought. And this from a free man. A man I freed myself...

Frank crossed the road to the sidewalk in front of the Unisphere. He scanned the area for a sign of Scott. He didn't see him. He turned down the sidewalk and walked in the direction he had suggested to Scott.

A quiet place to talk...

As Frank drew close to the towers of the New York

Pavilion, he saw the shadow of a man near the base of the tallest tower, the agreed to meeting place. Frank detected a wave and approached the tower.

He found Scott seated with his back against the fence guarding the tower's elevator doors.

"You found it," said Frank.

"Of course I found it," said Scott. "I've been here a few times."

"First time I was here was during the Fair. It's not the same now." Frank produced a set of keys from his pocket. In the shadows he fumbled with the lock on the gate.

"We're not going in there, are we?" said Scott.

"You said you wanted someplace quiet," said Frank. "Welcome to quiet."

Scott hesitated, then walked through the gate.

Frank followed him, closed the gate, and reset the lock. He jiggled the gate, nodded his head, then turned to Scott.

"Come here," he said. "Stand back from the doors, just to be safe."

Scott furrowed his brow, then obeyed Frank's instruction.

Frank removed a metal plate on the side of the elevator housing. He pulled a pen light from his pocket, searched around in the open compartment, then put the light away. In the darkness, Frank merged two wires. A bright flash lit his face.

Scott heard a metallic screech above him. He looked up to see the rounded elevator car below the wide disk of the tower's observation deck begin to move slowly downward.

"That thing doesn't work!" hissed Scott. "What are you doing? Don't you remember what you told me about it?"

Frank smiled. "That was an abandoned project - the restoration. But I learned this little trick from one of the

contractors during the proposal.”

“It’s not safe, Frank.”

“Sure, it is. I’ve been up there a thousand times. When I have to think, by myself.”

The capsule-shaped elevator car looked grey in the low light reflected up from the criss-cross of walkways nearby. Motors on the ground hummed. The gears and cables that ran the capsule downward clicked and groaned.

“I don’t know about this Frank,” said Scott as he walked toward the locked gate. “I got a thing about heights.”

“Hey,” whispered Frank as loudly as he could over the din of the elevator. “You wanted a secure place to talk, didn’t you?”

“Must everything be so grandiose with you?” Scott said.

The elevator reached the ground level. The motors whirred down to silence. Frank pulled the outer door open, then forced the elevator capsule’s door ajar enough to slip inside.

He beckoned from within the capsule to Scott. “Well? Come on.”

The darkened capsule smelled of dust freshly loosened during its trip to the ground. Frank pushed a button on the side wall, and the capsule lurched upward. It hummed with a slow vibrato, shifting left and right as the cables pulled it upward.

They cleared the entry housing and rose above the tops of the park’s trees. The old plexiglass windows were streaked with cracks, but still held together. Vision through them was murky.

Scott sputtered, “Does it stop automatically?”

“Not anymore,” said Frank. “But I know when to hit the button. It’s based on time.” He beamed a salesman’s smile at Scott. “Trust me.”

Scott gripped the inner railing of the capsule as the rickety capsule ascended through the bottom disc of the observation deck.

“Here?” he said.

“No. Let’s go to the top,” said Frank.

The capsule slowed. Frank listened for a metal click - his cue to hit the emergency stop button, the only way to prevent the motors from continuing and straining until they burned up.

He pushed the capsule’s door open. “After you.”

Scott looked around nervously as he exited the capsule. Frank walked ahead of him to the edge of the deck. He leaned over and scanned the ground.

“Let’s go over here,” he said, motioning toward the dimly lit Unisphere several hundred yards away.

He stopped and rested his forearms on the railing. Scott did the same next to him.

“You are a free man,” said Frank, “so why are you so worried?”

“It isn’t over, Frank,” said Scott. “I know they are just waiting for me.”

“Who?”

“Salerno and his goons.”

“Nah, what can they do?” Frank looked to the ground over two hundred feet below. “You are a free man! I’ve seen to that!”

“You got me off the charges on a technicality. And worse than that, it was so blatant that the whole city of New York thinks I am guilty regardless.” He turned to face Frank. “It’s a sham, Frank. And it’s made a wreck out of me.”

Frank stood up. He smoothed his Armani jacket and checked each of his cufflinks. He cocked his head and gripped

Scott's shoulder.

"You know what you need?" he said. "You need to get back to work."

Scott pulled away from Frank. "Aw, no, no..."

"Come on, you need to work. Look at you, you're a complete mental case! When was the last time you took a shower and changed clothes? You're letting yourself fall to pieces!"

He walked closer to Scott and cocked his head again. "Is this anyway to keep Alice happy?"

"Your sister isn't safe around me!" muttered Scott.

"She's your wife, pal! And she deserves more than a husband who stays cooped up in some abandoned office building."

Scott returned to the railing, gripping it with his hands. He hung his head low.

"Even she thinks I am guilty," he said quietly.

Frank said, "It doesn't matter, because you have been acquitted according to the law."

Scott's shoulders drooped. "How does Beth feel about it?"

Frank took a step toward Scott. "She's fine with it."

"Does she know you were in the car with me?"

Frank took another step toward Scott. "That's neither here nor there. What is important is that this is almost behind us."

"What about Donna?" said Scott. "What does she think about this?"

Frank froze. He clenched his fists and swallowed hard.

"You leave Donna out of this," he said through clenched teeth.

"Do you think she would want to be associated with the driver of the car that killed Salerno's kid?"

Frank flexed his clenched fists. "Now, Scotty, you don't

need to think like that. Have I not always taken care of your best interests?”

Scott bolted up and spun around. “Best interests, Frank? Best interests? I took the fall for you. And I am still in danger.”

Frank held his palms toward Scott. “And I am truly sorry that this happened. Do you think I felt nothing for you and Alice as I sat there during the testimony? I cried my eyes out when I thought about how much worse this could have gone, with you ending up in prison. Yes, me, crying. Over your fate, buddy.”

Scott shuddered. “My fate... But your fate hinges on my silence.”

Frank checked his cufflinks again. He cleared his throat and folded his arms. “We are past this episode, Scott. And I am truly sorry about how it has transpired. But it is over. And you need to get back to life, back to living.”

Scott stared blankly at Frank. “Just how can I do that?”

“I will do whatever it takes. You want protection? I’ll give you a house in the Hamptons or Connecticut or Maine. I’ll get you hooked up with a developer wherever you go. It may take a while, but you can have everything you really want. Everything Alice wants. One, two...three babies. Big house in the country. And I will make sure it happens.”

The two men stood silently. The noise of a jet on approach to Newark pierced the night. Scott slowly turned and place his hands on the railing once again. He gazed in the direction of the Unisphere.

“They are going to find out about you, too,” he said. “What am I to do if they find me? Spilling my guts may be my only chance to stay alive... to let Salerno know what really happened...” He lowered head again. “Frank, do you think I

could build skyscrapers in Rhode Island? I've always wanted to devel- “

His feet shot up. His torso dangled over the bannister. He screamed as the ground zoomed up at him.

The scream stopped.

Frank dove into the elevator capsule and rode it down to the ground. He pushed the button to send it upward once again, jumped out of the capsule and ran to the side of the housing. He ripped the metal panel away and threw it on the ground.

Finding the wires he twisted together earlier, he glared at the rising capsule.

“Come on... come on,” he huffed. Sweat poured into his eyes.

He counted the seconds in his head, careful not to count too fast. The capsule reached its original position. Frank pulled apart the wires. The motors ceased. The capsule halted.

Frank picked up the metal panel and jammed it back onto the housing wall.

He turned his head to see the crumpled body of Scott Moore on the ground, illuminated by a distant streetlight.

He took a quick, deep breath. His eyes darted as he ran through a list of possible ways to cover his tracks...

...tracks...

He looked at his shoes, bent down to untie them. He hooked two fingers of his left hand inside the shoes and walked in his sock feet through the trees to his parked car.

He left Flushing Meadows with his his headlights off, only remembering to turn them back on as he took the onramp for the Van Wyck Expressway.

chapter ten

Michael Roberts

“I THINK WE MIGHT need to circle the wagons, Frank.”

Frank Cole looked away from the window of his office towards his personal assistant.

Below him, Battery Park was starting to light up again as the city came to life again.

“Yeah, I’m sure we probably need to to, Marty.”

Just as he spoke, the intercom on his desk beeped.

Frank pressed the button.

“Yes, Greta?”

“Mr. Lawrence is here, Mr. Cole.”

“Thank you, send him in.”

“At least now we can find out how deep the shit we’re in goes.”

“I’m hoping puddle rather than well, personally.”

There was a knock on the door.

Jesus, Greta, Frank thought, just bring him in already.

The door opened and Greta held it while Danny Lawrence stepped in.

He was wearing a suit.

Not a good sign.

Danny never wore a suit unless there was a compelling reason.

“Is there anything I can get you gentlemen?” Greta asked.

Frank looked at his watch.

8:53.

He’d been up for three hours already today.

Hell, to be honest, he’d actually been up since yesterday morning, since he hadn’t actually been able to sleep very well.

“Could you call and get breakfast set up in the Board Room, please, Greta. Bagels and coffee.”

“Yes, sir,” Greta said, closing the door.

“So?” Frank asked, when the door was closed.

“I was at City Hall this morning, meeting with Bill Taylor and Tom Griffin.”

“Can I assume the result was not what we had hoped for?”

“You can.”

Frank exhaled slowly.

“Well, that’s unfortunate.”

“It’s more than unfortunate. My guy in the Comptroller’s office phoned me on the way back from the meeting. They’re prepared to proceed with possible charges.”

“Possible charges?”

“Well, more than possible, Frank.”

They set up for the meeting in the Hudson Room, so named because it overlooked the river.

Greta had ordered catering from the Carnegie Deli and the room smelled slightly of mustard and cooked meats.

At eleven thirty they arrived.

The older one identified himself as Tomas Fuentes and his younger associate as Brad Murry.

When they were all sat in around the table, Fuentes cleared

his throat.

“Mr. Cole, as you know, the City of New York has been under fire somewhat as of late for perpetuating an image of shall we say less than spotless business practises.”

“OK,” Frank said.

“And we have been tasked by Mayor Broderick to rectify this.”

“Tis a resolution devoutly to be wished,” Frank said.

“I’m sorry?”

“Hamlet? ‘To be or not to be’ speech? Seriously, you guys never read Shakespeare in high school?”

“We read ‘Romeo and Juliet,’” Murry said and Fuentes looked at him, then back at Frank and Danny.

“I’m not sure how this is germane to our conversation.”

“Just trying to lighten the mood a tad.”

“I don’t think it needs to be lightened, Mr. Cole. In fact, I think you need to remember how serious this situation is for you and your company. You’re facing possible prosecution on a number of offences, some of which are felonies, need I remind your legal council.”

“You do not,” Danny said, “I am aware of both the investigation and the implication of charges that your office has been using to intimidate my client, who had to this point been acting in good faith, as concerns your investigation.

“Good faith?” Fuentes said, “You *do* know that one of the possible charges is related to your obstruction of a investigation, right?”

“Mr. Cole’s office has been more than generous with both their time and manpower.”

“Mr. Cole’s office seems unable to provide evidence in a case, despite being sub poena’ed to do so.”

Frank looked across the table at the two men who sat

there.

“As we pointed out...”

He felt Danny’s hand on his forearm, looked over at Danny and saw him shake his head almost imperceptibly.

Time to shut up.

“The Comptroller’s office was made aware of the clerical error that led to the evidence in question being no longer available.”

“Yeah, you said you ‘accidentally’ lost the files from that era, in a...what did you call it?”

Murry glanced for a few seconds at the written transcript and found it.

“Yes,” he continued, “an ‘unfortunate error in clerical procedure.’”

“Yes, the boxes containing records from June 1989 to December of that year were disposed of, rather than being archived like they were supposed to be”

“Hell of a mistake, huh?”

“Yes,” Danny said, “Regrettable but here we are...”

“Yes,” Fuentes said, “Here we are indeed.”

“I think the best way forward is to just act in the best interests of everyone involved.”

“Meaning?”

“Meaning,” Danny continued, “you guys need a win. I get that. Cuomo’s probably got his goons breathing down your necks to make sure you get one in the black side of the ledger this time. Having Gotti and Bonanno walk last summer must have really stung.”

“Not my department,” Fuentes said, “so, I’m unaware of how the DA is feeling about that case. However, I do know that they are very enthusiastic about our chances on this one, Danny.”

“They shouldn’t be, You know that your case here is a coin toss..at best...”

“At best, it’s a solid conviction and your client sees serious federal time.”

Fuentes turned his attention to Frank.

“I assume your council has made you aware of the potential consequences of a conviction, am I right, Mr. Cole?”

“I was made aware of the potential, which at this stage is all it is, Mr. Fuentes. But, yes, I am.”

“However,” Danny said, “as my client has pointed out.”

He threw another look at Frank.

Shut up it said.

“As he so...wisely...pointed out, it’s all potential, Mr. Fuentes.”

“We believe otherwise.”

“And my office believes it is. So, we currently seem to have a bit of a standoff. However, I assume you are here for more than just recapping the situation.”

“We are,” Fuentes said, “While the Mayor’s and the Comptroller’s offices are eager to successfully prosecute every case we can, we are realists.”

Here it comes, Danny thought.

“And?”

“And we are willing, in the pursuit of expediency and frankly, pragmatism...”

“To cut a deal,” Danny finished for him.

“In colloquial terms, yes,” Fuentes said.

“In colloquial terms, what is the deal?”

Fuentes motioned to Murry, who reached into his loather briefcase and pulled out a folder.

He handed it to Fuentes, who opened it on the table.

“Well,” he began, “There are several aspects to any offer

that we are willing to.”

“Ballpark it for us, Mr. Fuentes.”

Fuentes made an *OK, whatever* gesture with his shoulders, then said, “Essentially, five and a half million repayment on commissions gained through irregular public sector bidding practises in the cases of...”

He glanced down at his files.

“Tribeca Cultural Centre, The Shaunnessy Building renovation, towers one, two and three of the MLK block refurbishment in Yonkers.”

Danny looked at Frank.

Not too bad, the look said.

Fuentes caught the look.

“The penalty is cumulative, for each case”

“Five and a half million each?”

“That’s what we are offering in terms of the repayment aspect of the deal.”

“That’s not all?”

“Dissolution of the holding companies F.A. Cole and Sons and Blueshore Investments and relinquishment of all public contracts currently being executed by those companies and their subsidiaries.”

“No.” Frank said simply.

“Maybe you want to think this through, Mr. Cole.”

“F.A Cole and Sons was started by my Great Grandfather. It and Blueshore employ over a thousand people.”

“Both companies have been implicated in malfeasance of public funds, Mr. Cole. Like I said, maybe you need some time to think it over.”

“Think what over, exactly? You want me to pay almost twenty million dollars and then shut down the bulk of my operations, putting a thousand people out of work. This isn’t a

deal, Mr. Fuentes; it's...I don't know what it is...but it isn't anything resembling a fair deal."

"That is what City of New York is offering in lieu of prosecuting a case against you and your organization."

"That's too much," Frank said.

"That's what we're offering."

"Then I have to refuse."

"Perhaps you gentlemen could give us time to discu..." Danny started to say.

"No," Frank said, "No. We're fighting this and we're going to win."

He looked at Danny, who looked at Fuentes and Murry.

"Well, now that we're aware of where we stand..."

"That's very unfortunate, Mr. Cole," Fuentes said.

He motioned to Murry and they both stood.

"I suspect one or both of you will be getting a call from the D.A.'s office in the next day or so."

"I suspect we will," Danny said.

At the door, Fuentes turned and shook Frank's hand.

"I would take the next day to rethink your decision, Mr. Cole, I really would."

"Duly noted, Mr. Fuentes."

"Can I walk you two out, Mr. Fuentes?"

"Of course," Fuentes said.

They passed Marta's desk and headed down the 'alley' between the cubicles on their left and the offices on their right.

Danny noticed a few of them glance up as he, Fuentes and Murry passed.

God, this could all be gone by next Summer, he thought.

"A word, Mr. Fuentes?"

"Sure," Fuentes said.

He motioned to Murry.

“Do me a favour and get Carl to bring the car around, please?”

“Sure,” Murry said, moving ahead of them.

When he was gone, Danny steered Fuentes into an office and closed the door.

“OK, Tommy,” he said, “What the actual *fuck*? Twenty Mill. punitive payment and dismantling a half billion dollars’ worth of companies? It’s like the D.A.’s forcing him to opt for a trial. They really that eager for a fight”

I’m just the messenger boy here, Danny. But, you and I go way back, so I’m going to say it again. He needs to really think about taking that deal.”

“You know he won’t. He can’t lose his Dad’s company. You know he can’t.”

“If he goes to trial and loses, which you realistically know is probable, he’ll lose it anyway...plus a lot more than just money.”

“You guys pushed him into a corner.”

“What we, white man,” Fuentes said, “Like I said.”

“Just the messenger boy...I get it.”

Fuentes reached out his hand.

“Good luck, Danny. And despite everything...Good to see you again.”

“You too. Give Amy my love.”

“I will.”

Danny walked him to the elevator, waited until it came and Fuentes got in, the door closed, then walked back to the Hudson Room.

Frank was looking at the river.

“How long?” he asked, without turning from the window, “I mean if shit really goes sideways.”

“No need to even consider that at this poi...”

“How long?” Frank said, finally turning.

“Worst case?”

“Might as well.”

“You’re indicted on everything, including the RICO charges...thirty years, no parole.”

“Fuck me,” Frank said.

“That is absolutely worst-case perfect storm of this going sideways, though. Realistic is you get two years less a day upstate at Club Fed in Farmington, get out in fourteen months, ten if they get crowded.”

“And I lose my license forever”

“Yes.”

“Alternatives?”

“As your legal council, I cannot in good faith suggest anything that violates the laws and statutes of this city, county, state or country.”

“That being said,” Frank said.

“That being said...Get Broderick in your corner.”

“Broderick is going to avoid me like the plague.”

“Officially, yes. But he has a dog in this fight as well.Remind him of that”

“He has plausible deniability though.”

“So do you, technically.”

“I’m not throwing them under the bus,” Frank said, “I’m not my Father.”

“No-one is asking you to...and no you aren’t,” Danny said.

Danny’s intonation changed so slightly at the end that Frank almost missed the admonition that it was.

“You think my father would have covered his ass better?”

“I think they were different times, Frank. Less regulated times.”

He looked out past Frank at the city.

“But, yes,” Danny said, “I think he would have covered his ass better. And I blame myself for not cultivating a better cadre of people to help us in this thing.”

“It’s funny, you know,” Frank said, “I grew up alternating between thinking the sun shone out of his ass and thinking he was just another hustler in a thousand dollar suit. Now I realize that he was probably the smartest guy I could have known and I should have listened to him.”

“I wouldn’t worry about it, Frank. Like I said, it was a different time. What worked for him wouldn’t fly these days. And we’ll beat this.”

chapter eleven

Susan K. Maina

KRISTY AND JUDGE ANDREW are walking down the halls of the supreme court criminal term at the 100 centre street building. they are going through the judge's diary to confirm all activities of the day. Kristy's jaw drops in shock when she finds out the judge will be meeting with Frank Cole.

The judge looks at her surprisingly wondering why she had gone silent. "Kristy, you went silent, what is the matter?"

"I am sorry Mr Clinton, just that I see from your list of appointments there is one slated for Mr Frank Cole."

The judge is equally shocked. "Kristy, are you sure of what you are saying? Let me see that."

The judge grabs the diary from Kristy's arms abruptly to see for himself what is really written on it. The judge suddenly goes into deep thought he cannot fathom how this crooked man got to have a scheduled appointment with him. What he can't get his mind around either is what Cole would like to discuss with him.

They both walk down the hall silently without uttering a word to each other. Kristy is anxious, what if Cole was just

using the appointment to see the judge as a plan to get the person who has been investigating his business. What if this alleged criminal is actually as dangerous as he is said to be. She is filled with thoughts in her head that spell out doom. Sadly this is not thoughts she can share with the judge because she can tell the judge is going through a fair share of anxiety and confusion, a state she had never seen the judge in before. They get to the door of his chambers and unlike the usual message they share of having a good day, he says “see you in court.” Kristy does not notice the change in message and they both walk away to their desks.

It’s a hot August afternoon in new york city and the sun outside is threatening to melt the earth's contents. Lucky for the judge he is in a well-airrated room at 100 centre street. He is trying to get some judgements done when Kristy silently knocks on his door and lets herself in. The judge doesn’t even look up to see who is at the door, he can tell when Kristy is at the door. “Yes, Kristy what can I do for you?”

“Mr Cole is her to see you.”

Before Kristy can finish the statement Mr. Cole lets himself in without any welcome. “Judge Clinton, I am here to see you, my name is Mr Frank Cole.”

“I know who you are Mr Cole, what I do not know however is why I have an appointment with you. I do not remember agreeing to meet with you.”

The judge says all this without raising his head to look at Mr Cole. Kristy let herself out at the first chance she got and that was immediately after Cole rudely let himself in.

Cole is still standing; he looks like he was caught off balance by the judge’s remarks. Considering he let himself in it is in the judge’s opinion that he might as well pull a chair for himself. The judge finally looks up, he is sited bolt upright, his

head tilted vertically to look at Cole straight in the eye.

“I am still waiting to hear why I have the pleasure of your presence in my chambers this afternoon.”

The judge is a bit agitated by the towering figure that stands in front of him. He, however, has no intention of offering this man a seat. If anything he is tempted to get up and walk away to leave this man in his office. He decides against this as he figures, the same way he was able to get this appointment with him, he would get another one. He might as well meet this man once in his lifetime considering what he has heard about him from Kristy’s quiet investigation.

Finally, Cole grabs a seat and equally looks the judge in the eye and starts to speak with a smirk on his face. “I have heard a lot about you and your work, I thought I should come to pay a visit to one of the best legal minds in this city a visit. You can be assured I mean well. How are your wife and daughter doing?”

The judge is startled how could a person he is meeting for the first time know about his wife and child, why was he inquiring about them, it is completely none of his business. He then realizes that Mr Cole is holding a frame of his family photo in his hands. It is usually placed at the right corner of his desk. The side that Cole happened to pull a sit on the frame had been there for the last ten years and slowly he got so used to it being there he had forgotten about it even existing. The judge let out a cautious smile and answered: “My daughter and wife are doing great.” That seemed to have been the icebreaker of the conversation that was about to ensue. The judge had no idea where this conversation was going but he was quite interested to see where it would go, especially because of the fact that he was set to listen to Cole’s case later in the month.

“I decided to bring you an early retirement package.” The judge was shocked and confused. What did this man mean? His term was coming to an end in a few months but that did not mean he was retiring from the bench. Just like he could see through the judge's thoughts Cole started to speak.

“I am sure you are wondering what I mean by a gift, well what I mean to say is that I have a guarantee of how you can be reappointed without having to worry whether or not it will happen.

The judge cut him short. “What do you mean you have a guarantee for re-appointment?”

Cole giggles with a clear smack on his face. “Don’t you know I have the mayor in my pocket? I run this town. All I need from you is your cooperation during my case. I wanted to be acquitted of all the charges and since you are not the final verdict, I want the case taken to the supreme court appellate division where I have a few judges in my control who will uphold your decision.”

The judge is standing and filled with rage he is hyperventilating, he can not believe what he has just been told by this man. He is first perplexed by the audacity he has to come to his office to tell him such things. The judge walks around his table and goes to seat in the guest chair opposite to Mr Cole. He looks Mr Cole in the eye and says “ I will do no such thing.”

Cole tries to explain further the benefits and repercussions his refusal to be supportive. Agitated and angry Clinton stands up and shows Cole the door. Just before he leaves Cole says, “I hope you know you now have to recuse yourself from this case.”

The judge shouts back at Cole. “Our meeting is over.”

chapter twelve

Pete Becker

JUDGE CLINTON CRACKED OPEN the side door that led from his chambers to the bench.

The bailiff, seeing the signal, intoned, “All rise.”

Although he was already standing, Judge Clinton reflexively straightened his spine and squared his shoulders.

“Hear ye, hear ye,” the bailiff continued.

Judge Clinton pulled the door open and strode toward the bench, climbing the two steps that led to the dais from which he would preside over today’s proceedings.

“All persons having business in this trial term part 1 of the Supreme Court, state of New York held in and for the county of Suffolk ...”

This ritual always made him feel both proud and humble. Yes, it was theater, not law, but sometimes theater matters; here, it reminded everyone in the room of the solemnity of the proceedings and, for those with a sense of history, its repetition in one form or another over hundreds of years renewed a sense of the majesty of the Anglo-American legal system.

“... will draw near, give your attendance and ye shall be heard.”

He sat, and for a moment allowed his thoughts to drift. *Sometimes corruption forces you to give up your principals so that you can do the right thing. Fight fire with fire.*

“Judge Andrew Clinton presiding. Be seated, come to order.”

While the courtroom settled down, he glanced around the room. The attorneys’ box was full, as was the spectators’ area beyond the rail. Unusual for an arraignment, but this was no ordinary case. Several of the spectators stood near the back doors; probably reporters, ready to exit quickly so they could be the first to file a story if something dramatic happened. He recognized one of the reporters and nodded to him; the reporter nodded back. He looked at the table in front of him to his left; behind it was Angela Bennett, the prosecutor in this case, and one of her assistants. At the other table he saw Claudia Woods, a well-known defense attorney, and a man he didn’t recognise. Cole was nowhere in sight.

Judge Clinton looked toward the bailiff. “Where is the defendant?”

The bailiff glanced at the defense table. “Sorry, your Honor, he must still be in holding.” He stepped to the door opposite the one where Judge Clinton had entered, opened it a few inches, and spoke to someone on the other side. Turning back to the judge, he said, “He’ll be here momentarily.”

Judge Clinton nodded. He turned to the prosecutor’s table and said, “While we’re waiting, welcome, Attorney Bennett.”

“Thank you, Your Honor.”

He turned to the defense table. “Welcome, as always, Attorney Woods.”

“Thank you, Your Honor.”

Looking at Danny Lawrence, he continued, “I see in the file an appearance by an attorney Daniel Lawrence. Is that you? Welcome.”

Lawrence grinned. “Yes, guilty as charged, Your Honor.”

Smarmy. This guy will need careful watching.

Cole entered the courtroom, dressed in an orange jumpsuit and escorted by two deputy sheriffs. He made his way to the defense table and sat down.

For a moment Judge Clinton’s neutral facial expression slipped as he glared at Cole. *That jumpsuit looks good on him. Too bad they removed the shackles.* He quickly composed himself and looked down from the bench to the court reporter, who was still fiddling with her stenograph. After a final flourish of her fingers she looked up at him and nodded. He turned and nodded at the court clerk.

The clerk called the case: “State versus Frank Albert Cole the Third”.

He looked toward the defense table, and asked, “Are we ready to proceed?”

“Yes, Your Honor,” replied Woods.

Lawrence stood up. “No, there’s a problem we have to resolve before anything further happens in this proceeding.”

What the hell? Hasn’t this guy learned basic courtroom decorum?

“And what problem might that be, Attorney Lawrence?”

“The problem of your bias against my client. You need to recuse yourself.”

Shit. Here it comes. Got to slow him down.

“Attorney Lawrence, since you do not regularly appear in criminal matters nor, as far as I know, in any court proceedings, I will write this impertinence off as inexperience. But I suggest that you consult with your far more experienced

co-counsel before you continue in this vein.”

“I apologize, Your Honor, for my bluntness. Nevertheless, you have a prior relationship with my client, which might affect your judgment in this matter.”

“What has the defendant told you?”

“My client says that the two of you met the other day to discuss an upcoming fund-raiser for the Mayor.”

“That’s it? That’s the reason you want me to recuse myself?”

“Yes, that’s it, Your Honor.”

“Just one meeting, to discuss something completely unrelated to this case?”

“Yes, Your Honor.”

Well, that’s easy, then; he hasn’t told his lawyers what went on between us. Probably a good idea — he wouldn’t want to confess to attempted bribery. With such a thin record of contacts there’s nothing to worry about.

“Attorney Lawrence, although your request was not framed as a motion, I will treat it as such. I would be required to recuse myself if there was a strong possibility that my decisions in this case would be biased. There is no such possibility arising out of the one casual contact that the defendant and I had. Your motion is denied.”

Lawrence opened his mouth as if to speak, but the judge’s expression told him that any further argument would get him in deep trouble. He sat down.

Judge Clinton turned to Woods. “Is the defendant ready to enter a plea?”

“Yes, Your Honor. We waive reading, and request the Court to enter a plea of not guilty.”

“Attorney Woods, I appreciate your willingness to move this proceeding along, but given the notoriety that this case

will undoubtedly entail, I think it's best that we take no shortcuts. To build a complete record, I will address the defendant directly on these matters."

Turning to Cole, Judge Clinton asked him, "Mr. Cole, has your attorney explained to you the charges that you face?"

Cole stood up. "Yes, Your Honor. She has."

Clear, short, respectful answers. Well coached.

"Do you understand them?"

"Yes, Your Honor."

"What would happen to you if you were convicted on these charges?"

"I'd spend many years in prison."

"Are you prepared to enter a plea in regard to those charges today?"

"Yes, Your Honor, I am."

"And what is your plea?"

"Not guilty, Your Honor."

"Very well. The record will show that the defendant, with full understanding of the charges against him, has entered a pleas of not guilty. Now let's move on to the matter of bail. Attorney Woods?"

"Yes, Your Honor. The defendant is a well-know real estate developer, born and raised here. He has extensive real estate holdings in the city, worth hundreds of millions of dollars. Managing them and his other on-going projects occupies almost all of his time. Because of these community ties, he poses a minimal risk for flight. We recommend a surety bond in the amount of one hundred thousand dollars."

"Attorney Bennett, does the State wish to be heard before I set bail?"

Come on, give me something to work with here. I probably can't make him stay in jail, but I can make his freedom expensive. One

hundred thousand is chump change to this guy. Make it sting.

“Yes, Your Honor, we would. While we don’t question the size of the defendant’s holdings in the city, we disagree that owning them means that he is not a flight risk. Bail should be set high enough to ensure that forfeiting it would be painful. The State asks that bail be set in the amount of one million dollars.”

“Thank you, Attorney Bennett. I’m persuaded by your argument, but I think you are too generous. I am setting bail in the amount of ten million dollars, double surety. In addition, Mr. Cole, you are ordered not to leave the United States at any time during these proceedings. You have a passport, do you not?”

“Yes, Your Honor, I do.”

“As an additional condition of bail I require you to surrender your passport, to be held pending resolution of the charges against you.”

Several reporters, seeing that the heart of the proceedings had been completed, squeezed out through the back doors to file their stories.

Judge Clinton looked at the prosecutors and asked, “Is there anything else for the Court in this matter?”

“No, Your Honor.”

“And the defense; is there anything else for the Court in this matter?”

Woods replied, “No, Your Honor.

“Then this Court stands adjourned.”

“All rise.”.

As the attorneys and spectators rose, Judge Clinton stood and left the bench through the side door that led to his chambers.

So far, so good. I’m going to get that bastard.

chapter thirteen

Sue Cowling

OTIS ENTERED JUDGE CLINTONS Chambers. Pausing, he took a moment to take in the full splendour, dignity and space of the room, the floor to ceiling shelves filled with leather bound legal, political and history books. The photos of family and friends scattered around the room and the personal touches that made this Judge Clintons. Otis got a good sense that Judge Clinton was comfortable here after almost ten years in office, a home from home and he smiled, something to store away at the back of his mind if their discussion did not go as he planned.

He carried on across the room to where the Judge was waiting for him, they shook hands briefly and both took a seat, opposite each another across a wide old oak desk, covered with neat piles of folders, a yellow legal pad and a container of sharpened pencils.

Otis observed that the Judge was fit, and looked healthy, he obviously worked out, and at 52 probably had no plans to retire any time in the near future, an important observation that pleased Otis.

The Judge indicated the coffee cups on the desk, “I know you live on coffee, so I made sure we start off our meeting refreshed.” He picked up his cup, sipping the hot drink, steam fogging the glasses perched on the end of his nose.

Otis followed suit, picking up his cup, relieved to see his favourite beverage in front of him. He took a long gulp, and they both put down their cups at the same time, as if indicating it was time to talk.

Otis made the first move. “Good Day your Honour, thank you for making the time to see me today...” Judge Clinton cut him off before he could continue.

“Let’s cut with the formality, shall we? As aide to Mayor Broderick, I know you are his problem solver, so really the question is what it is he wants you to solve, and how can I be of assistance with that?” He leaned back in his chair, making himself comfortable, while observing Otis keenly.

Otis smiled. “Straight to the point, I like that, I can work with that.”

He unbuttoned his jacket and took a similar relaxed posture, stretching his legs.

“I am here because Mayor Broderick is concerned, in fact he is extremely concerned about the trial of Frank Cole. As you know Cole is being charged with fraud, for impropriety in bidding for public sector contracts, and we are talking fraud here over the last five years”. He paused to try and gauge the Judges reaction, but Judge Clinton just sat there waiting for Otis to continue, giving nothing away in either his posture, or his expression.

“I will come straight to the point. Mayor Broderick wants to make it quite clear that Frank Cole is considered by him to be a well-respected public figure. Mr Cole is also a strong supporter of the Mayor, his administration and his various

campaigns. I think we could say he is an upstanding figure in the community...” He paused to make the point crystal clear and was about to continue when Judge Clinton raised his hand to silence Otis.

“I think that is a matter for the Supreme court to decide, on whether Frank Cole is in fact an upstanding figure in the community, or if he is, as charged, a crook that needs to be sentenced and pay for fraudulent activity that has cost New York City’s taxpayers hard earned dollars over the last five years, don’t you?”

Otis ignored that and carried on. “You know the Mayor has a fierce love for New York, this corruption scandal coming during the first year of his administration could undermine all the work the mayor is doing to clean up the City. He has already increased efficiency, and is working hard to straighten out the mess of the City’s finances left by the last administration. He has already introduced tighter spending controls. When he entered office, he promised among other things to deal with the alarming rate of crime within the City and has plans for an expanded police department. He does what he promises. He is a competent, methodical and intelligent man, who is dealing with layer upon layer of arcane regulations, that have created millions in waste, and a serious lack of competition which has led to higher costs and poor services that are bad for the City, they are bad for everyone.”

Taking a deep breath, he continued. “The sheer size and scope of the procurement system is daunting, did you know that in 1989-1990 there were over 22,000 contracts of work amounting to over \$10 billion dollars, probably 25% of our budget is procuring goods, services and construction. That is a huge responsibility, and one that the Mayor and his administration take seriously. We are talking projects to keep

the City running, training, building new infrastructure and the Mayor, well the Mayor takes that seriously. It's not a one size fits all judgement when making decisions.

I don't need to tell you that the contracting of public services is a way for us to reduce our service costs and a competitive and efficient economy of scale."

Judge Clinton pulled a white starched handkerchief from his pocket and noisily blew his nose, then popped the handkerchief back in a pocket of his jacket.

"I understand the mayor is worried, I am sure he does not want any scandal to cloud the work he is doing. However, it could be that the Mayor is not exercising sufficient oversight within his administration..."

"I am sorry Sir, but I have to dispute that statement, the Mayor is an upstanding member of this community and that is a slur on his image that I cannot allow, he has tight reins on everything that happens within his administration." Otis normally calm was feeling things were not going quite how he planned, but he still had his trump card to play if he had to. "I should remind you we need developers like Mr Cole to create an environment for economic growth. It is this type of case that will make investors think twice about investing."

He stood, needing to stretch his legs, he picked up his coffee cup and drained the lukewarm drink, before placing it back on the desk.

At that moment there was a tap on the door and in walked a young female, smartly dressed, with long brunette hair swinging as she moved. In her arms were a pile of files, which she placed on a side desk near the Judge.

"These are the files you requested for the Frank Cole case Judge Clinton." She turned to go.

Judge Clinton gestured to Otis. "Let me introduce you to

one of my judicial interns Kirsty Anderson who has a promising career in front of her.” He smiled.

Otis shook hands, with the now blushing Kirsty. “It’s a pleasure to meet you Kirsty, I am sure we will cross paths again soon.” His mind was considering how he could use this person to his advantage, and he stored her name away for future reference, as Kirsty left the Chambers.

Walking over to the window he turned, facing the Judge who was still seated and watching him. They were like a cat and mouse, watching each other’s movements, planning ahead to the next move.

“This is a wonderful office; it must be coming up ten years now?”

He paused and looked inquiringly at the Judge.

Judge Clinton smiled, “Yes indeed, ten years is up January next year, but I have no plans to retire just yet.”

Otis smiled back at Judge Clinton. “That soon, so your hoping to extend your career maybe another ten years?”

“Yes, indeed I am, fifty-two is too young to retire and what would I do all day?” He laughed.

“It would be a shame to lose such talent, I agree. Otis returned the conversation to the Cole case. “The Mayor wants to ensure that Cole has a fair trial, after all as I have already said, he is an upstanding citizen and supports the Mayor both publicly and financially on many projects for the City. Mayor Broderick wants me to make sure you understand the importance of a fair trial, one that is not a grandstand against Mr Cole. A criminal justice system that will operate openly and fairly in the case of Mr Cole, and one where all the important issues of the case are heard.”

The Judge stood. “Now look here does Mayor Broderick really think this will not be a fair case, are you suggesting we

are not open and fair.? That Mr Cole is in danger of not having a fair hearing, how dare you suggest the Supreme Court is corrupt.”

“I think” Otis replied, “That I am not suggesting anything, I am just pointing out how it could be viewed and that we need to make sure it is open and fair for Mr Cole, that it would be in your interest to ensure that happens.” He looked around the room again, slowly making sure the Judge was aware of what he was doing. “I really do think it would be in your interest to see justice plays out. This is a lovely office and I can see you here for many years, maybe?”

With that and before the Judge could reply he walked across and held his hand out. Shaking the Judges hand he said “Thank you for taking the time to meet today and for the coffee, which was most appreciated. I will pass on your regards to Mayor Broderick and your assurances that we can rely on you to make sure this trial proceeds in a fair way. With that he turned to leave.

The Judge spoke as Otis walked across the room. “I already had a good idea of this meeting Mr Johnson and the files that Kirsty brought in are so I can go over them in case anything was missed. I also am keen for this case to be heard fairly, and for any evidence that is important to the case be included.”

Otis smiled. As he opened the door he added, “Thank you. It would be a shame to see this office change occupants too soon. Have a good day your Honour.”

He left whistling softly as he walked down the corridor to the exit.

chapter fourteen

Cassandra Lee

SEATED WITH HIS BACK erect, Frank Cole smirked, his fingers plucking David Bowie’s “Can’t Help Thinking About Me” in his trouser pockets. Playing imaginary rock guitar wasn’t something he usually did during *voir dire*, but the ambience around him was pregnant with such boredom he couldn’t resist it. Being a courtroom regular emboldened him to step up in his class act. The Coles had a proven track record of bailing themselves, himself included, out. The problem was... was there any unforeseen problem?

A petite woman with olive skin stepped forward. Danny eyed Frank. The woman looked familiar to Danny, but he wasn’t sure who she was. He glanced at Frank, who averted his glance.

Angela spoke. “Your Honour, I challenge the appointment of Miss Donica Dominiguez for cause—”

Frank fidgeted.

“For the past four years, she’s often spotted by the staff at Coleslaw Tower, which is the defendant’s office headquarters,

but her name had never been on the staff registry. There is a great likelihood of an undisclosed relationship between her and the defendant.”

“Insufficient grounds,” Clinton replied. “Overruled.”

Frank breathed a sigh of relief.

“Now for the opening remarks,” said Clinton. “The prosecution.”

“Thank you, Your Honour,” said Angela. She proceeded to describe a number of shell companies tied to Frank’s business. Frank detached from his feelings and escaped into his increasingly hazy mind. He trusted Danny to handle the real world for him.

That evening was only four years ago, but Frank made it his life’s secret mission to remember it. He and Beth had gone to a Tex-Mex diner to celebrate their twentieth wedding anniversary, or so it seemed. The press got wind of their firstborn son smoking weed on campus and TV anchors were harping on such juicy gossip, and teachers had told them Albert was bullying his fellow students. This well-timed dinner was merely a diversion from their incessant bickering on how to parent such disgraceful boys.

The waitress on duty at the counter blinked at him and smiled. “Do you have an appointment, sir?” She spoke with a cute stiffness.

“Yes,” he licked his lips. “For two.” A glance at the badge on her blouse. “You have an interesting name. D, D.”

“Yes, but you can call me Donna,” said the waitress.

“I shall call you DD.”

“Well,” she blushed, “follow me.” She ushered them to an empty table. “Have a seat. Here’s the menu.”

“You know,” Beth muttered, “I would very much prefer to

finish up the PTA minutes than sit all night with a curmudgeon.”

Frank kept his cool. His days with Beth were numbered, not in terms of divorce, but in intimacy.

When the bill came, Frank slipped a \$20 banknote into Donna’s palm. What Beth didn’t see was a scribbled memo containing Frank’s personal number deep inside the folded banknote.

Donna found the memo after she’d gone home. She had some idea that Frank Cole was a famous name, but never in her wildest dreams did she consider ever getting hold of his number. She called him straightaway.

“I’ve been expecting you, DD,” said the familiar masculine voice on the other end. “I can’t forget your beautiful smile. My wife loved it.”

Donna blushed. “I...”

“Thank you?”

“Yes, yes,” she said, nodding. “Thank you, sir. Have a nice day.”

“Tell your supervisor you want to stay back after work.”

Donna wanted to ask why, but the line went cold.

It was midnight, and Donna’s colleagues and boss had left the restaurant. She was mopping up the soup she had accidentally spilled in the kitchen galley when Frank slipped in through the back door in a plain grey tee and black glasses. Donna was about to scream but Frank hushed her.

“How can I wake up in time for tomorrow’s work?”

“It’s really a waste for you to work here, DD,” said Frank. “How long have you been in the US?”

“*Siete*... no, six years? Or seven?”

“How old are you?”

“23.”

“Actually,” he sounded softer, “how did you end up in this sorry place?”

Donna fought back her tears.

“It’s okay. Don’t cry. I want to help.”

“I...” Should Donna trust this near-stranger with her darkest secret? She knew he was wealthy, so. “I had a sister Andrea, we were very close, and a gang leader liked her so much he killed her. She would be starting college if she’s alive today. I came to America to have a better life. I saved money to pay for college. Still paying after graduation.”

“What degree?”

“Accountancy. I still have \$30k to go.”

“I tell you what, DD. Come to my office tomorrow morning. Here.”

Another handwritten note.

Sunrise. Two raps on the door. “Quick,” came the reply.

Midday. Donna handed the college finance office a cheque before lunchtime. Turned out, it paid off her college loans.

Sunset. Frank called Beth saying he’s working overtime at the office. She suffered him.

Midnight. Two flashlights in Coleslaw Tower. Voices talking about a particular folder. Never found.

The days thereafter: Condoms in Frank’s waste paper basket. Donna started working for a minor “independent” accounting firm.

The months thereafter: Frank acquired that firm. A different limousine was often seen shuttling between that firm and Frank’s offices. Financial records appeared, disappeared and reappeared in Frank’s offices. Donna took up a new job

away from the accounting firm.

Frank woke up from his sweet fantasy when Angela touched upon the missing folder. Angela said, “Evidence of cooking the books eventually turned up at the mayor’s offices. Your Honour, may I call the witnesses forward?”

“You may,” said Clinton.

Angela turned to the witness stand. “Janet Hancock, come forward.”

The witness was a stocky, plainly dressed woman wearing thick spectacles. One could tell she had failed to fit in with New York City culture.

“Miss Hancock, at the office party on 24 December 1990, what did you see?”

“Objection,” said Danny. Trusty Danny — Frank never had to sweat. Danny continued, “Vague.”

“Overruled,” said Clinton.

Angela asked, “What happened when you were on duty on Christmas Eve 1990?”

Janet said, “I was cleaning the cubicles and looking into every nook and cranny, and found a slim banana yellow folder. I mean, I’m used to the light blue folders, and so the unusual colour was really striking.”

“What did you do with the folder?” asked Angela.

“I took it to my manager. What else?”

“Did you open it?” asked Danny.

“No.”

“Do you remember what’s on the label on the folder apart from its colour?” asked Angela.

Janet hesitated.

Danny zapped, “Objection. Leading question.”

“Sustained,” said Clinton.

Frank knew the answer. This illiterate janitor was too dutiful not to care about suspicious items she'd found. Had that yellow file been opened, there would be no future for him and DD.

But Angela would not be daunted. She called for Janet's manager, Otis Johnson.

"Mr Johnson, is it true that, shortly before the company party on 24 December 1990 began, Miss Hancock handed you a yellow folder?"

"That is true," said Otis.

"Did you inspect its contents?"

Frank leant forward.

Otis drew in a deep breath. "No."

"Here I present the yellow folder," said Angela.

Frank hid a wry smile.

She opened it, and silence fell upon the room.

Every page in the folder was blank.

Otis Johnson had suspected that something was going on between the mayor's office's latest recruit and the limousine that visited his accounting firm every day. He could have asked questions, but he wasn't going to risk his future in politics as a minority representative to satisfy a little curiosity. Ask too many questions and one can kiss dreams of rising to power goodbye.

As the staff cluttered and decluttered the office of Thanksgiving and Christmas gifts, Otis noticed a new yellow folder on Donna's desk. The longer the yellow folder remained there, the more he became piqued with it. He lingered by it once; the label splashed across the folder cover was "5-year plan". Otis had lost count of the times he made educated guesses about the future, and anything that could be a

figurative crystal ball kept him riveted. He had not made this secret folder known to his boss, mayor Edward Broderick, yet.

After Janet had finally handed him the folder, he hid its real contents in his briefcase and replaced them with blank sheets of paper. That night, he reviewed the contents cover-to-cover so many times he could remember the details down to the exact location — but he could chalk that up to his eidetic memory that aided him in the Marines and subsequent law education. He was well aware that exposing Frank Cole’s affair would not put him in good graces with the real estate tycoon, who might fund his political aspirations in the future, hopefully the *near* future.

The following day, Edward called him into his office. “Where’s the yellow folder on Donna’s table?”

“Janet found it yesterday before the party and gave it to me.”

“Let me have a look.”

Otis smiled and handed the folder over.

Edward furrowed his brow as he leafed through blank page after blank page, squinting as if to read text printed by invisible ink. “This sure is interesting,” he said. Why were there blank pages in a folder ostensibly named “5-year plan”? Why was it on Donna’s table? Did it have anything to do with the limousines picking her up every 7pm after the evening security guard had reported for duty?

Frank Cole riffed David Bowie again as Danny coolly explained away the oddities in the supposedly incriminating folder — without making any reference to Donna. “As you can see, Your Honour,” said Danny, “my client is in the clear.”

Heaving a sigh, Clinton said, “The trial of Cole versus New York is adjourned to next Wednesday, after the

weekend.” He shook his head. Clinton couldn’t say this out loud: he was quite sure he had no misgivings about Frank Cole’s actual legal and moral standing, but he was beginning to doubt himself.

chapter fifteen

Ian E Hart

ON THE 23RD FLOOR of Vulture Mansions, on Fifth Avenue, Tom Bennett wiped the sweat from his brow with a scarlet, monogrammed gym towel and took a deep breath before starting his tenth and final set of crunches for the day. “Will you look at the sun?” he pointed at the red orb disappearing behind the row of apartment houses on the west side of Central Park, “It looks like one of those Chinese paper lanterns floating into the void.”

Across the room, Angela was mechanically pedalling the exercise bike as she read through yesterday’s court transcript on the laptop mounted on her handlebars. “Yuánxiāo jié,” she commented absently, “The Lantern Festival. Chinese New Year finished months ago.” She tapped the space bar, flipping the next PDF page as the distance meter on the bike ticked over to 50 miles. She stopped pedalling and sat up, rubbing her back, which still ached from the damned uncomfortable courthouse chair.

“What do you want to eat?” she asked. “Keeping to the Chinese theme, I fancy a bowl of pot-stickers with our

chardonnay.”

“I’ve already ordered pizza,” puffed Tom between crunches, “Hawaiian for me, Margarita for you. We can keep the chardonnay.”

The front door bell rang. Angela stepped down from the bike. “I’ll get it, you finish your set.”

Tom bounced to his feet and pushed past her, “No trouble, you pour the wine.”

Angela set two long-stemmed Riedel *Superleggero* glasses on the coffee table and rotated the bottle of Chateau Montelena in the ice bucket. Tom seemed to be spending a long time haggling with the pizza boy.

“Is everything OK with the pizza?” she called.

“I’ll be back in a minute.” Tom’s voice didn’t come from the direction of front door, but the other end of the apartment—their bedroom and Tom’s study. In a minute, he bustled back into the living room bearing the two pizza boxes like a waiter with a tray of canapés.

“Was there a problem?”

“Just something I needed to do,” he said dismissively, “I’ll plate up, shall I?”

“Don’t bother,” yawned Angela. “I fancy sharing straight from the box.”

Tom unscrewed the cap of the bottle, poured the wine and raised his glass. “To the case! It looks like you’ve got this Cole fraud on toast. When they clap him in irons, you’ll be front page on every newspaper in the country.”

“And a week later I’ll be wrapping fish ’n chips, as the Brits say.”

“That’s why you should be preparing your run now. Catch the wave at its peak and surf all the way into Congress, baby.” Tom posed like a surfboard rider on the handmade Persian rug

and mimed a perfect run from break to shore. Then he sat down, tore open the lid of the first pizza box and detached a slice. The mozzarella cheese topping stretched a yard before it snapped off and swung like a fringe below the spongy crust of the Hawaiian slice.

“I’m still not sure I’m ready for politics. I’m only 38. I still have a life” Angela detached a thin slice of Margarita and nibbled it thoughtfully. “What’s that?” she pointed at the pizza.

“It’s your Margarita. Did they put mushroom on it again?”

“No, underneath.” Angela carefully lifted the pizza and extracted a plastic zip-lock bag. “There’s something inside it.”

“Let me,” Tom took the bag, parted the zip lock and extracted four postcard-sized photographs. He stared at them in horror.

“Show me,” Angela reached for the photos, but Tom pulled his hand back out of reach. He walked to the sideboard and retrieved his glasses and inspected the photos closely.

“OK, enough of the melodrama already,” scowled Angela melodramatically. “Is someone blackmailing you?”

There were four photographs. In each one, Angela was naked, *in flagrante* with a buxom, blonde woman of Dolly Parton proportions.

“What am I looking at?” Tom looked flabbergasted. “Is your tongue in her ear? I hope that’s an ear... I think I recognise her. She was on the front page of *The Post* last week.”

“She’s DD Dominguez,” said Angela, her eyes had taken on a haunted look. “Frank Cole’s girlfriend.”

“What the hell’s going on Angela? Are you and her having an affair?”

“You and *she*,” Angela corrected him. “What’s going on is revenge porn or a feeble attempt at blackmail.” Angela

emptied her glass in one gulp and refilled it to the top. “I should have told you at the time: six months ago—I think you were in Hawaii at some international accountancy conference—there was a party at the office. We were celebrating the first successful prosecution of Trump for tax evasion...” she sat back and closed her eyes.

“And?”

“And Donica Dominguez made an appearance. Nobody introduced her, she was suddenly just there. I thought she must have been a film star. She was the most beautiful woman I’d ever seen in closeup.”

“You certainly got close up.”

“DD brought cocaine, lots of cocaine. It’s all a blur, I only remember bits of it. I remember sniffing a line off the Attorney General’s desk blotter. I remember playing Forfeits with Danny Lawrence... maybe he’s the one who brought DD to the party. He’s Frank Cole’s lawyer—that would make sense. I remember taking off my bra so someone could drink champagne from it. But I don’t remember any of... this,” Angela pointed at the photographs. “I remember waking up on the couch the next morning in my office, naked and covered by a rug.”

“So who took these photos?” asked Tom, absently pulling apart another slice of Hawaiian. “I mean, whoever took them has held off for six months. What do they want?”

“Maybe it’s a warning about standing for Congress. Remember Katie Hill? She had to resign when her pictures came out... What are you doing?”

Tom was pulling the slices of the Hawaiian pizza aside. He extracted a single sheet of oil stained paper and angled it beneath the light to read the blurred text. He read, “Tell your bitch to lay off Frank. There’s juicier pix to cum and Rupert is

holding the front page.”

“Not just the New York Post, then. Every Murdoch paper in the country.”

“That’d be the end of your Congress career.”

“It’d be the end of my bloody legal career. Imagine the standard Murdoch headlines, *All in the family Prosecutor in bed with Frank Cole’s mistress.*”

“What can you do? Can’t Cole get off? Isn’t Danny Lawrence his lawyer?”

“Frank’s as guilty as sin, caught with his hand in the cookie jar. I’m about to present his multiple account books and dodgy tax returns going back ten years. The jury is against him. The judge despises him. I reckon he’ll get seven to ten and be out in three minimum. His business is ruined,” she turned to Tom and addressed him like a hostile witness, “But is Frank Cole any more guilty than Trump, the Koch brothers, Ricketts, Beal, Washington? Compared to them, Frank’s small fry. In fact I quite like him—he can be a funny guy.”

“Is there any way you can... I don’t know what you lawyers call it... *minimise* things?”

“It’s all in the paperwork. I have thousands of pages of his financial returns that we’re about to present to the jury. I don’t understand half of it, but the forensic accountants have been through every page with a nit comb and I’m using the notes they gave me.”

Tom offered his wife the last slice of Hawaiian. She shook her head, so he took it himself. He spoke through the mouthful of pizza, “I could have a look over those account books if you like.”

Angela looked up and smiled indulgently. “Tom. I love you. I’m certain you love me. I love the way you’ve taken this...” she waved her hand over the photos, “I know you’re a damn

good accountant, but a team of twenty forensic accountants have been on this case for two years. We've got till Monday morning."

"Fresh eyes? It can sometimes help."

Angela leaned over and kissed Tom on the lips—she almost gagged at the taste of ham and pineapple. "I love you Tomkins and I really appreciate how you support me, but this is Mission Impossible. I'm going to have a long soak in a hot tub and you know how sexy that makes me feel. Let's forget about it tonight and go to 10am Mass on Sunday. Perhaps God will send an answer."

She ruffled his hair, put her tongue in his ear and whispered, "Don't stay up too late."

When Angela emerged from the bathroom, wrapped in a Belgian linen bath sheet, her face tingling from the body scrub, she found Tom still dressed in his Lycra gym pants and shirt, glasses perched on the end of his nose, studying the case files on her laptop. He looked up at her.

"I think I've found a way through this," he grinned, "Fresh eyes often see things tired eyes miss."

Angela looked at Tom and shook her head. Her husband was a hunk, all her girlfriends said so—he could have been a male model; and he was a damn smart accountant with billion dollar clients of his own. But he had no sense of humour and socially he was about as sophisticated as a puppy, with an imagination to match. She avoided introducing him to her colleagues and legal friends—she told herself it was to keep work and home separate, but really it was because she was worried they'd find him dull and make snide remarks about toy boys and gigolos. But she loved him for these very qualities and for his tolerance and belief in her. Look at how he'd

treated the photos—no accusations, no recriminations, simply support.

Tom's iPhone on the coffee table suddenly came to life and began vibrating on the glass top. The name on the screen was 'OJ'. She picked it up, but it immediately stopped vibrating and the screen said "Message." Tom was too involved in the reams of figures on the laptop to notice, so she took the phone into the kitchen with her and extracted a new bottle of chardonnay from the fridge. "OJ?" she asked herself. The only OJ she could think of was OJ 'Juice' Simpson, but why would the notorious footballer and convicted felon be calling Tom? She tried to open the iPhone but it was locked with face recognition.

Angela poured two glasses of wine and carried them back into the living room, along with the phone. She put a glass down at Tom's elbow and he looked up and smiled absently, "Thanks," and he turned back to face the scrolling figures on Angela's laptop again.

When Angela looked at Tom's phone again, the main menu was on the screen. The phone had been facing Tom when he looked up, "recognised" him, and unlocked itself. She wandered back into the kitchen and opened WhatsApp.

She recognised the picture of "OJ" immediately. It was Otis Johnson, Mayor Broderick's *eminence grise*, his principal advisor, or as some called him, "Broderick's Rasputin." Otis had a reputation: he was tall and athletic, intelligent and charismatic and, frankly, very sexy. But the thing she really remembered about him was the professional-looking espresso machine on a bench of its own in his office. Otis was famous for the quality of his coffee and it was said he had been the first choice for "the face of Nespresso". Clooney got the job when Otis refused because he said it would lower his

standards.

The message from OJ read, “What did she say?”

There were hundreds of messages to and from Otis Johnson on Tom’s phone. Some were cryptic, but many were so explicit they took Angela’s breath away.

“I love it when you kiss me on the lips.”

“Last night was a revelation. I never knew there was a Kama Sutra for men like us.”

“Coconut-flavoured condoms! What a sensation!”

She scrolled through the messages, going backwards in time through her husband’s gay affair with one of the most powerful men in New York. It had been going on for a long time apparently: the first messages were businesslike, arranging an appointment to discuss Otis’s IRS returns; the second was all about coffee; it seemed they went to bed together after no more than a week.

She looked in on the living room: Tom was still concentrating on the Frank Cole prosecution brief. She took the phone and her wine to the bedroom and changed into slacks and a t-shirt—she wasn’t going to have it out with him while wearing only a towel that could drop at the most dramatic moment. She noticed that Tom’s study door was ajar and, on impulse, glanced inside. Tom was so compulsively neat she had often accused him of having OCD, but tonight his desk was a mess. Strewn across it were a dozen plastic zip lock bags, and a brown paper envelope spilled its contents of postcard sized photographs into the clutter. More photographs of Angela and DD—she winced, the four she had seen were just the tip of the iceberg. To cap it off, in the wastepaper basket she found, screwed into balls, half a dozen versions of the pizza-stained demand note.

“You stinking, hypocritical bastard!” Angela slammed down the lid of the laptop and confronted a startled Tom. She waved the photographs in his face and scrolled the series of WhatsApp messages under his nose. She was so angry she could hardly speak.

“What... the...fuck... are you up to? You’re not only having a gay love affair—and exposing me to AIDs by the way—you’re trying to ruin my career! Did you set up those photos? Have you been in it with Miss Dominguez all this time?” Tom looked back impassively. Angela tried to scream, but her voice broke, “You damn lump of wood! What have ever I done to you?”

When she stopped, out of breath and panting, Tom carefully stood up, put his hands on her shoulders and grinned. “What have you ever done to me? You treat me as though I was a lump of wood. You tell everyone I have no sense of humour, but how about that? This time I got you, smarty pants!” He kissed her on the nose.

“You’re insane,” gasped Angela, “My husband is insane. Certifiable.”

“He might be insane, but he treats you like an intelligent woman and he has your best interests at heart.”

“I have no idea what you are talking about! Was this all a joke? Why did you set me up for blackmail? What’s with the photos?”

“I got your attention, didn’t I? You weren’t going to listen to me unless I shocked you into it.”

“Do you have anything intelligent to say, that I should listen to?”

“There you go again, Madame Prosecutor. You always have to be right. Let’s sit down together and discuss this like adults.” Tom filled Angela’s glass and passed it to her. “Cigarette?”

Angela looked at her husband as though he had just stepped out of an alien spaceship in a cornfield. “Are you insane? Oh, I forgot, of course you are insane. We established that.” She took a deep breath, “OK, what do you have to say?”

Tom lit a cigarette—a pink Sobranie—and sat back. “OK, I’m bisexual. But you knew that when you married me. I’ve been having an affair with Otis for two years. I didn’t try to hide it, but I guess you were so tied up in your own concerns that you didn’t notice. Six months ago Otis and I decided we needed to get your attention.”

“The party. The cocaine. The DD photos,” said Angela. “You set that up?”

“There are videos too, if you’d like to refresh your memory.”

“Get my attention for what?”

“Originally it was for a big announcement.” Tom took a deep breath, “Otis is going to stand for President at the next election.”

“President of what?”

“Of the USA, POTUS.”

“Seriously?”

“Why not? He’s 43, black, handsome, charismatic, a great speaker...”

“I get it, like Obama. There’s one big difference, he’s gay.”

“The USA is now ready for a gay president.”

“And you’re going to be... what, the First Wife?”

“Why not?”

“That’s why you wanted to get my attention—as you so quaintly put it.”

“Uh huh”

“And you’d like me to clear the decks so my husband can be FLOTUS... or is it FMOTUS?” Angela laughed. It was all

she could think to do. “Even if this insane scheme got off the ground, there are barely two years till the nominations. Who are Otis’s backers? Where’s his SuperPac?”

“Frank Cole has pledged a billion dollars to Otis’s campaign and a nation-wide SuperPac of estate agents is already mobilising to raise another billion. Everything is nearly in place. We were going to make the announcement in October. But a problem came up—you.”

“Me? Where do I fit into this madness?”

“We all assumed this fraud charge would be dismissed out of hand. The judge was bribed, along with half the jury, but after hearing your opening argument... well, Otis is worried that you might actually succeed in convicting him. With Frank in jail, his money’s in escrow and the SuperPac’s dead in the water.”

“You really want ‘your bitch to lay off Frank’ as your note so eloquently puts it?”

“There’s a way. There’s another set of books: I prepared them myself. Convince the jury they are legit and the case against Frank Cole folds.”

Angela stood up and walked to the window. She gazed out over the darkness of Central Park. “Let me get this straight: I go easy on Frank, he gets off, Otis gets the nomination, I lose my job. What do I do then, go home to Philly?”

“Oh no! Otis has plans for you.” Tom joined her at the window, “Remember how Biden chose Kamala as his running mate in 2020? She was the perfect foil for him: black, pretty, a prosecutor, tough on crime, everything Joe was not. Otis is going to need a white Kamala: pretty—that’s you; intelligent—who can match you?; tough on crime—no-one has more convictions; and ambitious—it’s your middle name, baby. Tom turned her face towards him. “Honey, don’t aim low and just

stand for Congress—you are the perfect candidate for President Otis Johnson’s VP.”

“This is lunacy.”

“You keep saying that. But what if we could pull it off?”

Angela looked back over the park, now as dark as her thoughts. “Vice Presidents are like jewellery—decorative, but ultimately powerless.”

“Until the end of the second term, then they are in the box seat for the next nomination. Play your cards right...” Angela shrugged. Tom turned her back to face him, “Sugar, you’re 38 now. Two terms...”

“I’d be younger than Obama.”

Tom put his arm around his wife’s shoulder and pulled her to him, “What do you think, honey? All this has really been for you.”

She gazed through her reflection in the window and across to the lights of Manhattan, then she abruptly turned and kissed him.

“Let’s go to bed, lover. I still think you’re mad, but I’ll give you an answer in the morning.

chapter sixteen

E. Kinna

A HEAVY WALL OF humid heat blasted Kirsty Anderson when she exited a cab near the south entrance of New York City's 100 Centre Street courthouse. The sidewalk was already packed with wannabe spectators. Court wouldn't be in session for another half hour, but people had lined up overnight to get a coveted spot for day two of Frank Cole III's fraud trial.

"Right this way, people." One guard said, motioning the line of people towards the door. "One at a time...that's it. Follow the signs to the open courtroom on the left."

Kirsty smiled at the guard when he held his arm out to hold the line so she could pass. Inside, she could see that the crowds were bigger than yesterday during the opening arguments.

One man complained to anyone who would listen. "Aww, you mean we stood outside all night for the bloody overflow room?"

"It's all those reporters hogging the seats." Another man replied.

"Don't matter, it'll still be good. That Bennett woman is

gonna tear Con Man Cole a new one!”

“Pfft. As if he’s gonna testify. No way that fancy lawyer of his allows that.”

Kirsty’s high heels clicked a staccato echo in the hallway as she walked past the two men who were now arguing about what the best spots were to watch the proceedings on a large television screen. At least the courthouse had air conditioning. It promised to be a long day, though one she’d relish as an intern to the presiding judge, Andrew Clinton. It would be a nice change from the usual eight to ten hours writing briefs and checking citations. However, she was mostly looking forward to watching Angela Bennett, who was considered one of New York’s fiercest litigators.

Finding her way to the back row, where a spot had been reserved, Kirsty pulled out her notebook in preparation for the day’s testimonies. A young woman, about her age, shuffled in to sit beside her and smiled.

“Which paper do you write for?” The girl asked.

“Oh, none. I’m one of the judicial interns. I take it you’re a journalist?”

“Yep! Well, I will be after this trial is over and I convince my uncle at the New York Post to put my article on the front page. It’s sensational stuff! By the way,” she extended her right hand, “I’m Meghan Welland.”

“Kirsty Anderson. Nice to meet you.” She shook Meghan’s hand, and then glanced around, noting defence attorney, Daniel Lawrence, had arrived.

“I can’t decide if he’s handsome or not.”

“Who?” Kirsty asked.

“Lawrence. But doesn’t it strike you as odd that a guy as rich as Cole only has his corporate lawyer and not one of the big wigs?”

“It is unusual, yes, but he seems to be doing a good job so far.” Kirsty couldn’t divulge the details of all the pre-trial motions, but Lawrence had managed to win several of them.

“So, who do you intern for?”

“Judge Clinton.”

“Ooh do tell! You must have some *serious* inside info.” She said, her face lighting up like someone given the biggest present at Christmas.

Kirsty fought the urge to roll her eyes, instead giving the girl a weak smile. “Not really,” she lied, “interns aren’t privy to as much as you’d think.”

“Well, that’s a bummer.” Meghan said as her expression shifted to one of someone who’d had that unopened Christmas present snatched away.

She looked so deflated; Kirsty fought the urge to laugh. When the crowd erupted with excited murmurs, she looked up to see the defendant saunter down the aisle to his seat at the defence table. He wore a navy-blue pinstripe suit with a silky texture that only big money could buy. It was luxurious, if somewhat ill-fitted. Frank wasn’t obese but he was packing a few extra pounds, and so the fabric strained around his arms and legs. Of course, it didn’t affect his ability to walk with the arrogance of someone born into extreme wealth, privilege, and sycophantic adoration. Frank Cole III wasn’t handsome, nor was he ugly, but a smug condescension wafted off him like a malodorous vapour trail. As Kirsty told her parents after the first time she saw him in court, the man had a bad vibe. There was little doubt in Kirsty’s mind he was guilty, though she’d never admit it to her legal colleagues who all lived by the mantra: innocent until proven guilty in a court of law.

At nine o’clock, right on cue, the Bailiff faced the crowd and said, “All rise for the honourable Justice Andrew Clinton.”

When her boss had taken his seat behind the bench, the Bailiff stepped forward again.

“All rise for the jury,” he said, as the twelve men and women filed into the jury box. Unlike the previous day during opening arguments, there was an electric energy emanating from the gallery now that witnesses would start appearing. It was a palpable excitement as dozens of people expected to see firsthand, the take down of corrupt New York royalty.

Judge Clinton waited until everyone was seated and then said, “Good morning, ladies and gentlemen. Today we continue with the trial of the State of New York versus Frank Albert Cole III.” He looked to the plaintiff’s table. “Ms. Bennett, you may call your first witness.”

“Thank you, Your Honour. The state calls Milo De Fabio.”

The man walking to the witness box was about five foot seven, with a compact, stocky build. His dark hair had feathered grey strands at the temples, and his skin was the crinkled bronze of someone who’d spent most of his life working outdoors. The De Fabio family owned one of the oldest and most reputable construction companies on the East Coast. Milo had inherited controlling shares when his father, Vito, died several years ago.

“Mr. De Fabio,” Angela Bennett began, “you are the owner of Fabio and Sons Construction, correct?”

“I am.”

“Your company has worked with the defendant’s company?”

“Yes.”

“And you have completed several contracts with the defendant, Mr. Cole?”

“Objection,” Lawrence said, “leading the witness.”

“I’ll rephrase. How many contracts have you worked on

with the defendant?”

“Eighteen in the past twenty years.”

“So,” she said, “eighteen from 1970 to 1990?”

“Correct.”

“How many of those in the past five years?”

“One.”

“Prior to 1985, would you say that Mr. Cole had been happy with your company’s services?”

“Objection calls for a conclusion.” Daniel Lawrence didn’t bother looking up. “Counsel is asking the witness to speculate on my client’s opinion of his company.”

“Sustained.”

“Prior to 1985, did the defendant or any of his company’s officers ever advise you that he was not satisfied with any of the services your company provided?”

“No.”

“How about after 1985?”

“Yes.”

“What was the nature of the complaint?”

“Well, it was the last job we did. He called me up and accused us of using low grade materials.”

“Were you?”

“No.”

“So, what did you tell the defendant at that time?”

“I told him he was full of crap and I challenged him to prove his allegations.”

Kirsty looked towards Frank Cole and saw him smirking while whispering something to Daniel Lawrence. She knew from the preliminary hearing that Milo De Fabio had sued Cole for breach of contract. He claimed that Cole had broken, without cause, their agreement to convert a couple of warehouses in the Meatpacking District into expensive

boutiques and nightclubs. People thought Cole was crazy or stupid, or both, for investing in that hell hole of a neighbourhood, but investment bankers had started to take notice when Cole bought up several buildings. Over the past few years, most of the district's infamous sex clubs had been shut down and word on the street was the famous designer, Diane von Fürstenberg, wanted in on one of those spaces. Still, for Kirsty, the idea that the Meatpacking district could ever be respectable was beyond ridiculous. It had to be a scam.

Milo continued under direct examination, testifying that around 1985, Frank Cole had started working with new construction companies and stopped taking Milo's calls. At the same time, several real estate developers dropped De Fabio and Sons from their contractor roster, forcing the company to file for bankruptcy protection. After considerable downsizing, and diversifying into other industries, they just managed to stay afloat. Curiously, Kirsty had noted from the pre-trial briefings, the prices of all public sector bids rose appreciably between the time Cole cut off De Fabio's company and his indictment for fraud.

"So," Angela said, "is it your belief that the defendant pressured these other developers not to enter into contracts with your company?"

"Objection, inflammatory."

"Sustained."

"Is it your belief that..."

"Objection, leading question. Counsel is asking what the witness believes, not what he knows to be fact."

"Sustained." Judge Clinton looked down his nose at the prosecutor. "Ms. Bennett, please rephrase the question."

"Yes, Your Honour. Mr. De Fabio, approximately how many other companies did you attempt to enter into contracts

with after your falling out with the defendant?”

“At least twenty.”

“And did any of them provide you with their reasons for not entering into a contract with your company?”

“One did, yes ma’am.”

“What company was that?”

“Macron Industries.”

“And what reason did Macron Industries provide?”

“They told me that Mr. Cole had told them they’d regret it if they did.”

“Objection!” Daniel threw his pencil down on his notepad. “Hearsay. We request that the witness’s remarks be stricken from the record.”

Angela Bennett closed her eyes and said, “Your Honour, I...”

Kirsty recognised the look of annoyance on Judge Clinton’s face when he said, “Counsel, approach the bench.”

As both lawyers began whispering with the judge, Meghan leaned over and whispered to Kirsty. “Whoa, that was intense.”

“It happens,” Kirsty said. However, she was surprised that Angela Bennett had made so many mistakes with her first witness and earned a bench conference so early in the day. She’d expected to see top notch skills not a cascade of poorly worded questions, especially considering the high profile and high stakes nature of the case.

When the bench conference finished, both attorneys returned to their tables and Judge Clinton ordered the jury to disregard the witness’s statement. Expecting that Angela would continue with De Fabio, Kirsty’s mouth dropped open when Bennett instead said she had no further questions for him.

The defence declined to cross-examine. Why would they, Kirsty thought, when the only incriminating thing he said had been disqualified.

“Your Honour,” Angela said as she approached the podium, “I call Otis Johnson.”

A tall, attractive black man rose from the gallery to take the stand.

“Who is this guy?” Meghan Asked.

“He’s the Senior Aide to the Mayor,” Kirsty said.

“Why is she calling him? Shouldn’t she be calling someone from that Macron Industries to back up what De Fabio said? I mean, shouldn’t she have known that De Fabio would say that?”

“Yes, but she probably will later,” Kirsty said. Of course, Bennett would do that, she reasoned. If Macron could testify that Frank Cole had threatened them, it would be explosive evidence. But she also knew that there was evidence of the Mayor’s involvement in the public sector bids, and so she assumed Bennett was planning to explore the more serious links between Mayor Broderick, and Frank Cole. Even though she didn’t recall Otis Johnson being mentioned in the pre-trial briefs, it was possible something new had come up. However, Kirsty noted that neither Frank Cole nor Daniel Lawrence looked surprised or concerned about who was now seated in the witness chair.

Otis Johnson started his testimony by explaining his background as a United States Marine before graduating from Brooklyn Law School. As he detailed his work on Ed Broderick’s mayoral campaign, several reporters paid close attention.

“Would it be fair to say, Mr. Johnson,” Angela asked, “that Mr. Broderick intends to campaign for a second term as

Mayor?”

“Well, sure. Why wouldn’t he?”

“And how much money, would you estimate, the campaign for his first term cost?”

“Objection, irrelevant.” Daniel Lawrence shook his head.

“Overruled.” The judge replied. “The witness may answer.”

“It was two million dollars. I know because I submitted the financial reports with the committee.”

“And how much did Mr. Broderick’s failed campaign for Congress cost?”

“Objection, also irrelevant.”

“Overruled.”

“It was around one million dollars,” Otis said.

Angela gripped the podium. “Help me understand, Mr. Johnson, how a campaign for a city mayor would cost twice as much as a campaign for Congress?”

“Objection, immaterial. Your Honour,” Daniel stood up and addressed Judge Clinton, “I fail to see the relevance of this line of questioning.”

“I will withdraw the question.” Angela paused for several seconds before continuing, as though she was unprepared for this witness. “Mr. Johnson, umm,” there was another pause, “yes, I’m sorry. Mr. Johnson, are you aware of any direct financial contribution from the defendant to Mr. Broderick’s mayoral campaign?”

“No.”

“Are you aware of any direct financial contribution from the defendant to Mr. Broderick personally?”

“Not to my knowledge, no.”

“Thank you. I have no further questions of this witness.”

Meghan once again leaned in a whispered. “What the hell?”

Why did she stop?”

Kirsty shook her head in response. It made no sense, and the use of the word “direct” seemed calculated. She knew that there were campaign finance records that disclosed Frank Cole had paid thousands of dollars towards three of Broderick’s campaign fundraisers. Not that it was illegal, but it was clear the two men were connected, and Broderick owed Cole his gratitude if not more. Angela Bennett’s tense posture as she waited for Lawrence to cross examine Otis Johnson, was a sharp contrast to Frank Cole leaning back in his chair while he smiled at the jury.

“So, Mr. Johnson,” Lawrence said, “just to clarify that, to the best of your knowledge and recollection, my client never directly donated financially to Mr. Broderick’s campaign or to Mr. Broderick in any capacity. Is that correct?”

“Yes.”

“I have no further questions, Your Honour.” Lawrence pivoted towards the defence table and grinned at the jury.

Several reporters looked confused, but they grew animated when Judge Clinton declared a fifteen-minute recess. Many of them, including Meghan, ran out of the courtroom to phone their newsrooms or get on camera in time for the noon broadcast. Kirsty nibbled on a granola bar and flipped through her notebook. She found the entry she’d made a few weeks ago when Bennett had requested a subpoena for the Broderick campaign’s banking records. At the time, Kirsty assumed it was to see where the money had come from, because most mayoral campaigns didn’t cost as much as Broderick’s had reported spending. That and given Cole had dozens of shell corporations, she’d expected Bennett to find that one of those ghost companies had “directly” contributed money to Broderick.

Meghan returned just in time to get seated before court resumed. “So!” She said. “I called my uncle and guess what he said?”

“I—”

“He told me that Broderick definitely spent way more than is normal when he ran for mayor. *And*, he said that Broderick’s opponent, the guy who lost, was supposed to testify today about what he told the New York Campaign Finance Board, but Angela Bennett told him that he would no longer be called as a witness.”

“Did she say why?”

“I don’t know. My uncle didn’t tell me, so I guess not.”

Kirsty let that percolate while Angela Bennett called her next two witnesses: a Mrs. Brown who worked as Cole’s secretary for five years and a Mr. Larson, the Controller at Cole’s company for the past ten years. Both had nothing but glowing things to say about their boss, which wasn’t a surprise. What was a surprise is that they had taken the place of more valuable witnesses, like the guy who’d lost his mayoral bid to Broderick. Not that a disgruntled political loser didn’t need to be taken with a giant grain of salt, but surely if he had evidence worthy of submitting to the Campaign Finance Board, that testimony would be more relevant than learning how Cole liked his coffee prepared.

As the day wore on, the palpable energy of excitement buzzing through the gallery in the morning, had shifted to a dull restless sigh of boredom. If any of the journalists had expected a major scoop for the evening news, it was clear they’d given up hope as Bennett finished her tedious questioning of Mr. Larson.

“I have no further questions of this witness. The state rests, Your Honour.”

At that declaration, dozens of newly energized bodies snapped their heads to attention in unison. Had they heard correctly? The State rested? That was their case? Kirsty's mouth dropped open once again, as did Meghan's. Even Judge Clinton's face bore an expression of shock at what Angela Bennett just said. Kirsty watched as Daniel Lawrence stood and addressed the court.

"Your Honour, the defence submits that the state has not only failed to prove their case against my client beyond a reasonable doubt, they have failed to prove it beyond a modicum of doubt. Therefore, we request that the jury be released and that this case be dismissed on those grounds.

Judge Clinton narrowed his eyes and stared directly at Angela Bennett in prolonged silence before shifting his gaze to Daniel Lawrence. "The defence motion is denied. Court will resume tomorrow at nine a.m.; at which time, the defence will present their case."

Daniel sputtered. "But Your Honour I—"

"Mr. Lawrence your motion is denied. I will see you here tomorrow morning. Court is adjourned."

The bang of the gavel reverberated through the courtroom. Dozens of reporters rushed outside, including Meghan, leaving Kirsty to sit and wonder what had just happened. Something was wrong. Bennett looked pained as she shoved documents into her briefcase, and Lawrence looked annoyed. Kirsty didn't understand why Judge Clinton hadn't approved the defence motion, because it was obvious to everyone that Bennett had fumbled her case beyond salvageable. Kirsty's first reaction was to follow the judge to his chambers and get some clarity, but the Bailiff was blocking the doorway, which meant Judge Clinton had left orders he did not want to be disturbed.

Instead, she sighed and watched as Frank Cole III winked at a couple of courtroom groupies simpering in the second row. Ugh, she thought, those women had no shame or self-worth. His gaze then wandered and met her own, and she recoiled at the smarmy narcissism rolling off him and making her skin crawl. Looking away, she gathered up her purse and notebook, and walked into the hallway. She needed a drink. Maybe that would help her make sense of what the hell just happened. One thing she knew for certain, tomorrow promised to be interesting.

chapter seventeen

Julia Ward

JUDGE CLINTON HAD HAD more than enough bull for one day. Cole and his attorney obviously got truckloads of manure shipped from Texas and Wyoming. Quite possibly Montana as well.

With a shake of his head, he disrobed and gathered a few things to take home before heading to his car. As he started his car, his brand new Motorola MicroTAC flip phone rang. More than likely it would be his wife Amy wanting to know when he'd be home. With a smile at the thought of surprising her, he let it ring. He could call his answering service in a minute.

However, not three blocks away, it was ringing again.

If Amy needed him, she needed him.

He answered. "Hi honey, what's up?"

"Daddy?" It was Jean and she was sniffing. A sob broke through the phone. "Daddy, I'm so scared. Please... Please come get me." The sobs broke and then crescendoed.

What the hell happened? Keeping his voice steady as he navigated traffic and headed to meet his daughter, Andrew

asked, "What happened, sweetheart."

"Just come get me. Please." Her sobs were heart-wrenching. Had it been a bad breakup?

God, had she had an affair with a professor? Certainly not Jean. She was as level headed as they came. What then? "I'm on my way, sweetheart."

"Don't hang up, Daddy."

"I won't, sweetheart. I'm right here." He stayed on the line the whole drive through Lower Manhattan and then up the 9-A heading north before pulling up next to a phone booth outside Butler Hall. It was only then that she hung up and flung herself into his car.

"Can we go home, please?" She kept looking around.

Reaching over, Andrew took his daughter's hand. "We're headed there now. What happened?" Whoever scared her like this would have the whole of the New York justice system down on them if he had any say.

Rather than answering, she just wept, sucking in gasps from time to time to fuel the next wracking sob.

"Honey, if this is some guy you met."

"No, Daddy. It's *not* just some guy. I was... I came out of..." Her hand went to her throat. "This guy... He..." She swallowed hard before continuing. "Oh, Daddy!"

"Do I need to take you to the hospital?" She'd been raped. There was no doubt in his mind.

"No. No..." With snuffle she seemed to gain some control. "No. I just..."

"No hospital?" Should he take her anyway? If she'd been raped it was important to get... *God, my little girl!*

"No." Her voice dropped to a nearly breathless whisper. "He had a knife."

"That's it. We're going to the hospital."

“No, I’m fine. Nothing like that, Daddy.”

“Then tell me what happened!” He’d lost his patience. Someone had hurt his little girl and he wanted to know who. And where the hell they were.

“I was coming out of the tutoring building, cutting through Heyman Center like I always do and this guy...” She huffed a breath before continuing. “This guy grabbed me and dragged me into the stair well. He choked me.” She gasped another breath. “I passed out. But...” She reached her hand to her throat again. “I was so scared. When I came to it was dark. I had no idea where I was. I had to feel around to find a door.”

His hands were white, wrapped around the steering wheel as he imagined them wrapped around the man’s throat. Forcing a deep breath, he asked again, “But you’re not hurt?”

“No. No. I...” Her voice dropped low. So low it scared him.

“What, Jean? What?”

She reached her hand to her throat again. “I think... I feel something, here.”

He looked to where she pointed on her neck. “Shit!” he yelled, slamming on his brakes. “I’m taking you to the hospital!”

It was barely a nick. But she’d been cut. *That bastard cut her!* As he looped back to the hospital, he called the police. They were waiting as he pulled into the Emergency room entrance.

Grateful he could pull strings, they were seen immediately and he hugged his daughter as she recounted the attack to the policemen while a nurse cleaned and dressed the small cut.

“I’m sorry, Daddy. I was never able to see him.” As she leaned against him, he hugged her.

“Not to worry, sweetheart. They’ve got an idea of his size and even the way he smelled. The rough clothes... You’ve

done a great job.”

He didn't leave her side as the policemen left.

The phone in his pocket rang. This time it had to be Amy. Could he talk to her right now? He wasn't sure. Maybe it could all wait until he got home.

But the phone rang again. And then again.

She was relentless.

“I can't really talk right now,” he told her.

“Is that mom?” Jean asked.

“Yes.”

“Is that Jean?” Amy's voice sounded shaky. “Oh, my God, Andrew, is she all right? I got the most horrible phone call asking if I knew where she was. Thank God she's with you. My God, Andrew. I was so worried. And then you wouldn't answer. What the hell happened?”

He gave Amy a very brief version: Jean was fine. There'd been some sort of attempted attack. As he lied, he was fairly certain it was disappointment in his daughter's gaze. He would not apologize for sparing his wife some of the terror he'd been feeling.

As he reassured his wife and hung up, he hugged his daughter. “You're coming home. And I'll have extra security at the house.”

His daughter didn't argue.

When they arrived at their home, Jean let her mother tuck her in while Andrew retired to his study for a steadying glass of scotch.

He was halfway through his sixth finger of scotch when the police called. They'd searched the area and found nothing. No sign of any struggle, no sign of her having been in the storage room, and no sign of the guy.

“Keep looking. It had to be Cole that son of a bitch. That

son of a bitch.”

“Who’s Cole?” His wife stood at the doorway. God only knew how long she’d been there. Her angry stride ate up the space between the doorway and his desk as he returned the phone to its cradle. “Who’s Cole, Andrew?”

Son of a bitch. Now I’ve done it. “Just a case I’m trying right now. It... I was thinking about something else.”

“You were thinking about the attack on Jean. She told me. She told me all of it. The stairwell, everything. My little girl, Andrew.”

“She’s my little girl, too.” As if the attack on his little girl hadn’t been enough, to now have his wife angry at him was too much. “It’s been a long day and an even longer evening. Let’s just drop it right now.”

“So who is this Cole guy and why would he attack Jean?” Again, she was relentless.

Staring deep into the last bit of amber liquid in his glass, Judge Andrew Clinton told his wife a little bit about the Cole case.

“Fraud? You’re getting him on fraud? That’s nothing? My God, Andrew. Real estate and public buildings? The government spends millions on a toilet and you’re willing to risk my daughter’s”—He shot his wife a warning glare—“our daughter’s safety going after some guy who’s only done a fraction of that?”

“He’s a criminal, Amy.”

“She’s our only child, Andrew. Let it go. What if it had been worse? What if he’d actually killed her, or, God forbid, raped her?”

It wasn’t like he hadn’t thought the same things.

“I am telling you, Andrew, if this is how it’s going to be, you might well be on your own. You think about it. Drop

this.”

It killed him, the pain and anguish in his wife’s eyes. A tear rolled down her cheek.

God, why? But he knew, this was the path he’d chosen. Justice wasn’t an easy mistress. “It’s not just about the fraud *now*, is it? He’s just attacked Jean. Am I supposed to dismiss that?” He was confident that would get her back on his side.

But it didn’t. “Andrew Clinton. She got away with barely a scratch. While, yes, I’d love for you to go after the bastard that hurt her, if it’s a matter of her being safe or getting hurt worse, then you let it go.” She’d gone from threats of leaving to pleading, tears rolling down her face. “This is about the safety of our family, Andrew. Drop this for Jean. For me. For us. For our safety.”

This was killing him. He had a job to do. He couldn’t let this man get away what he’d been doing. And even more so now. If he’d threaten the daughter of a judge, no one was safe. “As much as I love you and Jean, it’s not that easy.”

“Yes, it is.” Suddenly like steel, she stood, cold and unyielding. “It is, Andrew.”

A man feels like hell when the woman he cares about cries.
When the tears stopped abruptly, it was so much worse.

chapter eighteen

Kimberlee Gerstmann

“ALL RISE,” THE BAILIFF announced, followed by the sound of people shuffling and moving themselves into a standing position. “Honorable Judge Andrew Clinton. Court is now in session.”

Frank Cole fumbled with the jacket button on his Kiton sharkskin wool suit. His stubby fingers worked against the strain at his waist, and he sighed with relief as the jacket opened and allowed for a bit of breathing room. He’d wanted to go with a trendy cut for his court outfit, but his lawyer advised sticking with a classic fit. His ever-expanding stomach did not agree. Anxious, he twisted his pinky ring and looked around the gallery.

Everyone sat back down, some with a hurrumph, and others offering last shrouded whispers to their neighbors before the proceedings began. One larger man in the gallery sat down hard, the heavy real estate of his ass hitting the seat with a loud slap. Frank sniggered until his attorney gave him a subtle poke in the ribs with an elbow.

The judge nodded at no one in particular and then

smoothed his black robe behind him as he took his seat. Glancing at the defense table, Judge Clinton noted Danny Lawrence's best attempts to keep his client from showing his true colors. He felt an inward eye roll. The defense lawyer appeared in his part before and his former clients were just as sleazy. The judge found it difficult to imagine how the attorney secured his wealthy clients when he refused to project even a modicum of professionalism for himself, but expected it from those he represented.

As the bailiff gave his short spiel, Judge Clinton arranged the papers in front of him, lining up every edge and ensuring that his pens were ready and parallel to his blotter. When things were tidy, his attention turned to the prosecutor.

Angela Bennett looked a little grey and unwell. It surprised the judge that she rested the state's case with minor argument. When the case first landed on his docket, he imagined it would be a fierce battle and that she would be well prepared, ready to take down the corrupt real estate mogul. Instead, her evidence had gaps big enough to drive a truck through, and what she presented lacked punch, which was not like her. During the last recess, his curiosity over her lackluster prosecution had gotten the best of him.

The phone on his desk jangled, startling him out of his focus. He looked up from the briefs and realized it was late. "Judge Clinton," he rasped, his voice thick from lack of use over the past several hours.

"I was afraid you were still there," Amy stated.

"I'm sorry, hon. I..."

"Just lost track of time," she finished.

"Yes. I'm sorry." He ran a hand across his face, rubbing his eyes so he could see the clock. Seven thirty. "Shit, I'm sorry.

I'll wrap it up and head out now."

"You forgot, didn't you?" Amy asked.

"Forgot?" his mind raced, trying to recall what he'd missed.

"We are meeting Jean for dinner tonight," she stated, with only a hint of question.

He winced. "God. I'm leaving now."

"Just meet us at the restaurant instead of coming home. It will save time," she sighed, resigned to the life of constant reminders and prodding.

Before he could respond, she hung up, the dial tone chiding him in place of his wife.

He made quick work of clearing his desk, sliding files into his briefcase, and pushing things into drawers.

Crossing his chambers, he noticed that Kirsty, his intern, remained out at her desk, the familiar baggy Duke sweatshirt over the top of her blouse. She'd kicked her heels off and had her legs curled beneath her skirt on the chair. Her suit jacket rested across the edge of her desk.

"Hey, you're still here," he said, trying not to startle her as she pored over a pile of law journals, highlighter in hand and notes scrawled on a legal pad.

"So are you," she returned. "I heard the phone. Amy?"

"Yes. I screwed up," his mouth screwed into a scowl. "Dinner with Jean."

"How's Columbia treating her?" Kirsty asked.

"She's enjoying this term as far as I know," he answered, shifting his briefcase from one hand to the other. "She usually fills her mom in on all the details. I get the condensed version."

"Yeah, I'm sure she figures you're too busy for details and gossip."

"Probably," he started toward the door, but paused.

“Speaking of gossip, have you heard anything about what is going on with Angela Bennett? She seems a little off these days.”

“Wow. Even you noticed?” She tucked a lock of hair behind an ear.

“Yes. Some things are obvious even to me,” he smiled.

Kirsty pursed her lips and was quiet for a few seconds, as if weighing the decision to dish the office dirt.

“Well... I heard that she is having trouble with that new ADA, Ron Stone.” She hesitated and twirled a pink highlighter on the desk in front of her. “He has a bit of a... reputation. Some call it harassment, but he likes to think he’s being... flirtatious.” She wrinkled her nose.

“Oh,” Andrew started, not sure if he felt comfortable having this discussion with someone nearly young enough to be his daughter. He shifted, wishing he hadn’t asked.

With the judge’s pause, Kirsty grew quiet; awkwardness hanging between them. She rubbed the back of her neck. “Anyway, I’m not sure if that is it, but there is definitely something going on with her. If you want me to ask around, I can do that.”

“No,” he blurted, with a little more force than necessary. “I mean, I don’t need to know. I was just concerned. I’m sorry. I shouldn’t be chasing gossip.”

“Nah, nothing to be sorry about. I get it. She’s off her game.”

“Well, I guess I’d better get going,” he replied. “Thanks.” He opened the door, but then paused before leaving the chambers. “If you hear about any other problems with Stone, I can speak to the DA. Let me know.”

“Have a good night,” Kirsty smiled as the judge retreated. He was a decent guy.

Danny Lawrence called his first witness. After being sworn in, Joey Miggatone stepped to the witness box. His broad shoulders overwhelmed the space. He sat in the chair and threaded his fingers together in front of him, his pointer fingers outstretched in a steeple.

The 20-something had close-cropped black hair, a scar over his eyebrow, and a nose that looked as if he had broken it multiple times.

“Tell us how you are acquainted with Mr. Cole,” Lawrence asked.

“Uh, I’ve worked for Frank for a while now.” Joey Miggatone stated.

“What do you do for Mr. Cole and how did you end up working for him?”

“I am a contractor. Frank let me work some construction jobs. He gave me a chance when some other guys wouldn’t.”

“Can you explain?”

“I was... what you’d call... challenged. I haven’t always been an angel,” Miggatone stated. He leaned into the microphone for every answer. “Frank gave me a job and now I’m on the straight and narrow, as they say. Makin’ money and being legitimate...” Miggatone droned, continuing to weave his fairy tale, his lips hovering over the mesh of the microphone.

Judge Clinton watched in fascination, expecting Miggatone to actually touch the microphone with his mouth at some point. But as the testimony wore on, Judge Clinton wondered why the prosecutor had not objected. Miggatone provided nothing more than a pointless string of stories to make Frank Cole look like less of a jerk. There was no substance. Frank Cole was as crooked as they came, and it frustrated the judge

that justice would not be served. Angela Bennett appeared distracted. Several times the judge saw her sneak furtive looks toward two large guys in slick suits sitting in the gallery. What is going on with her?

Bennett's cross-examination of Miggatone came across as softball and ineffective. It puzzled the judge.

The next witnesses were similar: tall tales of Frank Cole's benevolence and goodwill, and the prosecutor letting it slide. Hearsay and irrelevance with minimal objections from the state.

Danny Lawrence called another witness. Isabelle Montgomery took the stand and pressed a hand to her perfectly coiffed grey hair. The diamonds on her fingers and in her earlobes were large enough to be seen from the back row of the gallery. She sat with perfect posture as Cole's lawyer led her down the garden path.

"Yes, Frank Cole is just a wonderful man. He's so generous and always willing to help out with a charitable cause," Ms. Montgomery gushed. She smiled at Frank as if he was a prize she expected to win.

The judge watched Frank Cole posturing. Cole's lips pressed together in a tight "O" and he looked as if he was thoroughly enjoying her recitation of praise. Judge Clinton looked at Bennett, hoping to make some eye contact and determine if she would participate in the process. When she sat silently, the judge's irritation boiled over.

"Ms. Montgomery," Judge Clinton started, surprising both attorneys. "Did Frank Cole provide any donations to your organization?"

"Judge?" Danny Lawrence interrupted.

"I want an answer," Clinton said, turning back to Ms. Montgomery.

“He did,” she responded.

“In what amount?” the judge asked.

“I... uh... I don’t have the exact numbers in front of me,” she faltered.

“Your Honor, I object to this line of questioning,” Lawrence interjected.

“Overruled. Ms. Montgomery, you know that you are here to provide evidentiary information, so I’m sure you can remember.”

Isabelle Montgomery’s flaccid cheeks filled with color. “Well, there was a large portrait he donated that we auctioned off...”

“Worth?”

“Well, it sold for \$200,000.”

“I’m not interested in the sale price. I’m asking about value.”

A nervous chuckle escaped, and Isabelle Montgomery covered it with a cough and a polite hand. “Well, I’d say that the value is a hard thing to determine...”

“A number,” the judge barked.

“Your Honor, this is inappropriate.”

“Overruled.”

“But I didn’t object,” Lawrence said.

“Then direct your witness to answer.”

Isabelle Montgomery swallowed hard and looked at the defense table. Frank Cole crossed his arms in front of him like a petulant child.

“Well... we valued it at \$500,” she responded.

Titters erupted from the gallery. The judge ignored them and pressed on.

“When you provided Mr. Cole with a receipt, what value did you place on his donation?”

Ms. Montgomery's eyes flashed back and forth between Danny Lawrence and Frank Cole.

"\$250,000," she said, her voice barely above a whisper.

The judge looked at Angela Bennett. Her eyes turned down, and she gripped the edge of the table.

"Was that the only donation?" Judge Clinton asked.

The witness took a deep breath.

"Your Honor, I am going to have to object again."

"And I will have to overrule you again." He looked at the elderly woman. "Was that the only donation?" he asked, his voice louder.

"No. He also donated a batch of charity bears for a separate event."

"Charity bears?"

"Yes. They were bears he made in his image. We handed them out to donors in their swag bags."

"And the value of the 'charity bears'?"

He heard a soft sigh escape her lips.

"\$100,000.00. That's what we put on the receipt."

"And what was the actual value of the bears? If you had to buy them?"

"Maybe \$250.00 for the bunch." The old woman was on the verge of tears.

"You're excused, Ms. Montgomery," the judge stated.

"Sidebar, your Honor?"

"Approach."

Bennett and Lawrence joined the judge at the bench.

The defense attorney could hardly contain his anger. "Your Honor, you are interfering the case and interjecting yourself in when the prosecutor isn't even challenging."

"I have a right to question the witnesses." Judge Clinton stated, his demeanor serious. "Ms. Bennett, do you have

anything you want to say?"

Her eyes glittered with unshed tears.

"No, your Honor."

"Judge, you're giving me grounds for appeal," Lawrence quipped.

Judge Clinton looked at Angela Bennett. "I don't think there is much worry about that."

The prosecutor put a hand to her mouth and looked queasy.

"Step back," the judge ordered.

Judge Clinton caught the eye of Kirsty, and she returned his look with wide-eyed wonder. He shrugged.

Angela Bennett returned to her table and slumped in her seat as Danny Lawrence called his last witness.

After closing arguments and instruction from the judge, the jurors retired to the jury room for deliberations.

Angela Bennett cast a glance at the two men in the gallery. At one point, Judge Clinton thought he saw the larger man nod toward her. The judge beckoned Kirsty over.

"See if you can talk to security and find out who those two goons are."

"I'm on it," she stated, with a grin that made her seem excited about the extracurricular activity.

Frank Cole leaned back in his chair with a smug look plastered across his face. He put his hands behind his head and crossed his feet in front of him.

He's far too relaxed and confident. The outrage Judge Clinton felt nearly filled him. Cole was an asshole, and a rich one, and what made it worse was that he was going to get away with his crimes.

Judge Clinton adjourned to his chambers and pulled off his robe, pacing around his desk in frustration.

Minutes later, Kirsty arrived, a quiet knock on the doorjamb.

“Anything?” he asked, a hopeful tone in his voice.

“No. But Dwayne said he could get Otis to check them out.”

The judge smiled at the thought of the septuagenarian trailing the two men in thousand-dollar suits. “It’s fine. There’s no need.” Andrew collapsed into his chair, swiveling toward the window.

“This case has gotten under your skin, hasn’t it?” Kirsty mused.

“It has. I’m not sure why, but...” He turned back toward his intern. “Actually, that’s not true. I know why.” He ran a hand through his short hair and exhaled. “Guys like that always get to me. Privileged and entitled. I had to deal with a bunch of them throughout law school. They had their educations handed to them while I had to fight to get in and stay in, working multiple jobs to make it through.” His cheeks reddened at the confession. “Although I’m sure I’m preaching to the choir here. I can only imagine what you put up with.”

She smiled and leaned against the wall. “It’s been an interesting journey, that’s for sure. The money wasn’t as much of an issue for me, but the other attitudes that privilege and entitlement bring are not pleasant either...”

The phone rang, interrupting her. “Judge Clinton,” he answered. “Alright. We’ll be there in a minute.” He put the phone back on the receiver and grabbed for his robe. “Well, that was fast. The jury is back.”

Kirsty groaned.

“My thoughts exactly,” he replied.

They headed out of chambers and back to the courtroom.

The jurors filed in, looking relieved to have completed

their duty in record time. Frank Cole settled back in his seat, his jacket straining against the girth of his middle. He smirked as he looked at the jurors, cocky and assured that they would admire his wealth and business acumen and not hold him responsible.

“We, the jury, find the defendant, not guilty on all charges.”

Several spectators gasped. Frank Cole let out a whoop and threw a thick arm around his attorney. Danny Lawrence patted his client as a wide grin spread across his face. Angela Bennett shuffled the papers in front of her, scooping them into a pile and then placing them in a file folder. The two goombahs in the gallery stood without a word and left the courtroom ahead of the others.

Judge Clinton rapped his gavel. “My thanks to the jury. You are excused.” The din in the courtroom continued, so he rapped again, calling for quiet. Frank Cole continued gloating, ignoring the judge. He turned and beamed at his wife, squeezing her hand across the wooden divider. Frankie leaned over and patted his dad’s shoulder, and Albert hugged his arm. The judge rapped his gavel again, but the Cole family continued their celebration, infuriating him. Judge Clinton gave a sharp slam of the gavel, startling the prosecutor and causing her to jump.

“Order!” Judge Clinton barked, shouting over the family’s noise.

Danny Lawrence, at least, quieted down and refocused on the judge. He attempted to extract his client from his family and instruct him to pay attention.

“Get your client under control!” the judge demanded.

Frank Cole turned to face Judge Clinton, a greedy smile spreading across his full face. Cole jutted his jaw forward, smug and condescending. He smoothed his hair back with one

hand and smirked at the judge.

“Mr. Cole, I find you in contempt of court and am issuing you a sentence of three nights in jail, effective immediately.” He rapped the gavel again for good measure. “We’re adjourned.”

“Your Honor!” Danny Lawrence leapt to his feet in a flurry of outrage. “You can’t do that.”

“Oh yes, yes I can.”

Angela Bennett stood, watching the scene unfold in front of her, like a deer in the headlights.

“I’m filing a writ of habeas corpus,” Lawrence shouted.

“Go ahead, Mr. Lawrence. I would expect nothing less.” The judge glared at the attorney and his client.

The entitled look disappeared from Frank Cole’s face, leaving a white shell in its place.

“Take him to his cell,” Judge Clinton commanded.

A guard appeared and cuffed Frank Cole while his wife began to wail, Albert started to cry, and Frankie yelled at Danny Lawrence to do something.

Judge Clinton stormed out of the courtroom, leaving the chaos behind him, Kirsty chasing him down the hall.

chapter nineteen

J.D. Salt

ONE OF THE TWO corrections officers already in the processing room when Cole was brought in pointed to a stainless steel table bolted to the concrete floor. “Take your clothes off and put them there.”

Cole sucked in a breath, rubbing wrists that were still complaining about the recently-removed handcuffs. “The hell I will. I’m just in for the weekend. You—”

The other officer across from him, tall, burly, sergeant stripes on the short sleeves of his gray-blue button-down stepped in front of Cole and glared down at him. Cole felt much smaller than his five-eleven height. The man glanced down at a form. “Prisoner A2489217, you have been directed to undress. If you fail to comply with this legal order you will be stripped, and I promise you will not enjoy the experience.”

Cole felt the two officers who’d escorted him into the room close the distance behind him, no doubt ready to seize him if necessary. He pushed back his building fury. He wasn’t a punk. But this wasn’t a battle of words or legalities—he’d lose, and that god-damned judge might just tack another week

onto his sentence just to spite him. He wouldn't give her the satisfaction. He lowered his gaze and began to tug at his tie.

A minute later, Cole stood naked, cheeks burning, his hands crossed below his bulging belly. His bespoke Brioni suit had been searched, the ten grand worth of the finest Italian fabric unceremoniously folded on the table, his belt and the stripped laces from his two grand Meccariello's looped on top.

The first officer gestured to a set of footprints painted on the floor at one end of the table. "Stand there."

"Why?" he said, defiance creeping into his voice again. He would make sure his lawyer, Danny Lawrence, captured all of these indignities, in detail, when he finally met with him again.

Officer big and burly puffed up his chest and took two slow steps toward Cole, who flashed a glare at him before complying. He mustered as much dignity as possible and walked the dozen steps to the desired end of the table. He couldn't place why, but it disturbed him that the footprints faced the table, not away from it.

When he'd aligned his feet on the prints, several things seemingly happened at once. A guard appeared on each side of him, an arm's length away, while he sensed big and burly step behind. Somewhere to his right rear, a cabinet door thunked closed, followed by the sequential snaps of what sounded like exam gloves being pulled on. The guard to his left, the one who'd been leading the proceedings addressed him. "Bend over and put your hands on the table where the hand prints are."

Cole's head snapped in his direction before he'd realized it. "What the fuck—"

Each of the guards at his side placed a warning hand on his shoulder. "This goes much easier if you cooperate," said

guard number one.

“You can’t do this, I’ve got—”

Big and burly spoke from behind him. “For the safety of inmates and officers, every incoming prisoner must submit to a cavity search for contraband. There are no exceptions. Cooperate or not, it will be done. The only question is whether it will be quick and easy for you.”

Cole’s cheeks burned with a combination of humiliation and fury as he relented to the press of hands on his shoulders. He would sue—each of these goons, the whole god-damned Department of Corrections, and the bitch who threw him in here—and he would make sure they paid.

Two hours after he’d entered this shit hole—printed, photographed, prodded, poked, showered, then finally shown to his solo cell in the priss wing—a guard opened the door to a visitation room. He came face to face with Danny Lawrence, seated behind a table, for the first time since he’d been cuffed in court and led away.

Lawrence stood as Cole entered, the guard closing the door behind him. “Frank, are you all right?”

“I want names, Danny. Every damned guard who processed me. I’m gonna sue them all, the sons of bitches.”

Danny’s face took on an alarmed expression. “What happened? Did they beat you? I’ll get an emergency—”

Cole shook his head. “They violated me,” he said, his voice subdued.

“Violated you?”

“All that...” Cole paused, unable to bring himself to say the word, “... body search crap.” He slapped the table between them. “Like I’m some threat.”

Lawrence scribbled a set of notes on the pad in front of

him. “All right, I’ve already started working on the suit. I’ll see what we can work in about your time here.” He gave Cole an appraising look. “Are you being treated well otherwise?” He raised his hand as Cole opened his mouth, a storm written on his face. “I mean as appropriate for a jail.”

Cole muttered and grumbled before issuing a clear, “I guess so.”

“All right then. Here’s what we want you do.”

Cole sat forward, ready to hear the genius plan his legal team had concocted to get him released before lights out.

Lawrence took a deep breath, preparing himself for the inevitable push back. “We want you to stay on your best behavior and wait it out.”

Cole lurched to his feet, toppling his chair in the process. “I’m dropping millions on legal—”

Lawrence raised his hands in attempt to calm Cole. “Hear me out. It’s your—”

The door swung open and the guard popped his head in and eyed Cole suspiciously. “Everything all right in here?”

“My client was just expressing some frustration at his situation,” Lawrence said. “If you’ll excuse us.”

The guard eyed Cole one last time, nodded, then disappeared again.

Lawrence jumped into the quiet created by the guard’s interruption. “Here’s the reality, Frank. It’s Friday night. Every judge that matters is out at the Hamptons, down at the Jersey shore, out on the town, wherever. And even if we could get a hold of one of them, the conversation would be over as soon as we revealed why the trial judge found you in contempt.”

Cole took his seat again as he began to follow the track of his legal team’s reasoning.

“That leaves us with the magistrates. And not a one is

going to consider an emergency ruling against a trial judge for a three-day jail sentence. Thirty days, we'd get a hearing probably. So that leaves only an appeal to the judge, written apology in hand—”

Cole shook his head. “She knows what she did was wrong.”

“Come on, Frank. You know the reality. Another judge might have let it slide, and she even might have let you off with a fine another time. But the ink's not even dry on the papers from her brutal divorce, and you called the prosecuting attorney an overambitious YUPPIE bitch within earshot of the bench. Not the best move. I doubt she'd even take our call before Monday.”

Cole shot Lawrence a look, but managed to hold his tongue.

“So, yeah, we'll sue—after you get out. Behave, and you're out in three days, with all this just an unpleasant memory. But give the guards a hard time and you'll wind up with an unfavorable report when we go back to court Monday morning and the possibility of more time, especially if you're not contrite before the judge.”

Cole stewed the whole way back to his cell, the presence of the guard just off his left shoulder contributing to his foul mood. He should be teeing up his first wall-banger at Barbetta's right now, sharing a pasta dish with voluptuous DD, an appetizer for later events, before eventually heading home to a sleeping Beth and Albert. Instead, he was about to go through three miserable nights, and no doubt weeks of tabloid headlines after.

Cole had been back in his cell for less than a minute, reclined

on his bunk, brooding as he stared at the bottom of the empty one above him, when he heard a rapping on the metal plate that contained the locking mechanism for his cell. He sat up, hoping a guard was about to tell him that Lawrence had found a way after all.

Instead, he found a fellow prisoner at the entrance to his cell, approximately his own height, dark haired, a thick chest which stretched taut the fabric of his orange prison smock.

“You must be the new guy,” he said as he smiled. “Mind if I come in? I’m friendly, promise.”

Cole appraised the man. There was no threat in his Brooklyn-accented voice and no suggestion of malice on his thirty-something face. Never-the-less, the last thing he wanted was a visitor. However, he also didn’t want to risk making an enemy right off the bat. He’d heard plenty of stories. Cole motioned for the man to enter.

“Bobby Gianulli,” the man said as he extended his hand. “I’m part of the welcome wagon.”

Cole crossed to the doorway and offered his own hand. “Frank Cole.”

“First time in?” Gianulli asked.

“You can tell?”

Gianulli chuckled. “Except for the truly bad guys, all newcomers get that shell-shocked look. How long you in for?”

“Just the weekend.”

“Ah.” Gianulli put his hand on Cole’s shoulder. “Pissed off a judge?”

Cole regarded the man suspiciously. “How did you know?”

“News travels. Especially regarding guests in the VIP accommodations.”

Great. Cole’s mouth scrunched with disdain. *I’m already a celebrity.*

“Normally, a newbie would get the full tour, help them understand where the pot holes and such are. But since you’re just a shooting star, I can give you a quick spin through the very basics.” He gestured down the corridor. “Okay?”

Cole considered declining, but he at least had to know where to get his three squares a day. He nodded in spite of himself.

Gianulli led him through the wing, making introductions along the way to the few short-timers currently in residence. There was a small dining hall, a shower room, a closet-sized library, and a small recreation room with a TV from the seventies. “Most important thing to know—the safest place, even in this wing, is your cell with the door locked. But you gotta ask the guards to shut you in if it’s not lights out.”

Cole glanced over at Gianulli, his eyes feeling large in their sockets.

“I’m just saying. These guys want out, just like you, but better safe than sorry.”

“And just something to keep in kind. Yeah, it’s prison and sucks to be here. But I’ve done a few stints—three days is just enough to put your feet up, catch some good sleep, and get away for a bit from the rat race out there.” Gianulli smiled at Cole and put his hand on the man’s shoulder. “If you can see it as a break, it’ll be over before you know it.”

Tour concluded, they were on their way back to Cole’s cell when Gianulli stepped inside the empty dining hall and motioned for Cole to join him. “Hey, I gotta ask you something, and I’m sorry if it seems rude.”

Cole studied the man before shrugging.

Gianulli reached into his back pocket, and for fleeting second, terror rising in his throat, Cole thought the man was

reaching for a shim or a stiv, whatever it was they called those homemade prison weapons. Instead, the man produced a square piece of white paper. Cole relaxed—was the guy expecting a small favor in return for the small favor of the tour?

Gianulli studied Cole for a long second before he flipped the paper around—it appeared to be a color copy of a grainy photograph of someone driving an SUV. Did the man hope he had some photographic knowledge and could clean up the image? “Look, I don’t know anything more about cameras than point them at something, click a picture, then send the film off to be developed. So I’m not sure—”

Gianulli shook his head, and the cold smile that appeared on his face cut Cole off mid-sentence. “Allow me to explain. An associate of mine was given this picture by an associate of yours. For reasons I have not been privileged to know as of yet, my associate believes you would have a great deal of interest in this picture.” Gianulli extended the photograph toward Cole. “If you would do me the favor of looking again.”

Cole didn’t like the direction the conversation had just taken. The guy’s Brooklyn accent, his mannerisms and choice of words, were suddenly unsettling. He glanced at the photograph before extending his hand. “May I?”

Gianulli nodded and placed the picture into Cole’s hand. He brought the item a foot away from his face and studied it.

As he did, Gianulli spoke again. “I was told the vehicle is a ninety-one Ford Explorer, limited edition. I was also told that my associate and your associate believe, with a high degree of certainty, that the driver is none other than yourself. I was further told that there are additional, unspecified, photographic items that would be of interest to you.”

So it was a shakedown. Cole tensed as he studied the picture more closely. Yeah, it was an Explorer like his, the toy he'd bought in September as a reward for finalizing the huge Tribeca contract, but how many were there in the city on an average day? And, yeah, the guy driving appeared to have similar characteristics, but Cole had never been accused of having a face that stood out in a crowd. The quality of the *copy* appeared to be high, so it was doubtful the grainy original would be anything that would come close to convincing a jury it was him.

“Look, even if this was me—and I can't say that it is—I don't see why I would be interested.” Cole held the picture out, ready to hand it back to Gianulli. “The city's full of people driving around on any given day.”

Gianulli's expression was nonplussed. “Finally, I was told that the date would be of particular interest to you.”

“Date? What date?” Cole withdrew his hand and brought the picture closer for a better view.

“At the very bottom of photograph.”

When Cole looked more closely, he saw it—tiny white numbers, almost too small to read, set on a black strip that overlaid the image.

“In case you're having difficulty, I was told the picture was from this year. March twenty-third to be exact, two-thirty-six in the afternoon.”

Cole shrugged. *March twenty-third?* March was when he'd taken up with DD, but what was special about that date? If this was an intent to blackmail him about the affair, they'd be sorely disappointed. He'd dread the shock to Albert, on the verge of moving from pre-teen to moody teenager, but that was nothing a good therapist couldn't handle. Financially, the pre-nup with Beth was beyond rock-solid—she and Albert

would be taken care of and Cole would barely notice the hit to his assets. Beth might raise a real stink about the affair and it would make the tabloids regardless, but all he'd get from the guys that mattered—the bankers, his fellow developers, and the power brokers—was a clap on the back and a hearty “welcome to the club.”

Cole looked at Gianulli. “I’m still drawing a blank. Sorry.” He shrugged. “Maybe it would help if you told me who these associates are.”

“I’m afraid I’ve not been told the identity of your associate.” Gianulli paused, fixing Cole with a look that teased the hairs on the back of his neck. “I am able to reveal my associate, however. Mr. Salerno?” he continued, raising one eyebrow, “perhaps you’ve heard of him.”

Cole’s mouth went dry. “Tony Salerno, of the Salerno family?”

Gianulli nodded, locking eyes with Cole.

The Salernos. Directly or indirectly, they were part of the cost of doing business anywhere in the five boroughs. You just nodded, arranged for the payment, and went about the rest of your day. But when Tony took a personal interest in someone, that was rarely a good sign. Cole swallowed hard. He studied the picture for another dozen seconds, shook his head, and offered the item back to Gianulli.

The man declined with a shake of his head. “I understand the shock of being in a place like this the first time. But a man of your intelligence? It’ll come back to you once you’ve settled in.” He fixed Cole with a hard stare. “I should note that Mr. Salerno would like you to think very hard about this picture. Very hard.” He paused for a long breath and then his expression softened. “Time to get you back to your cell.”

Back in the VIP wing, Cole entered his cell while Gianulli hung back at its entrance, his gaze wandering about the small room. “This wing’s a safe place.” As he leaned against the open doorway, the man continued. “But you still need to be careful—accidents have been known to happen. And some guys manage to suicide—a damn shame, and a sin against God, rest their souls.”

Cole, seated on his bunk now, felt the worms begin to churn in his gut.

Gianulli fixed his gaze back on Cole. His face appeared relaxed, but his eyes had the look of a mob soldier carefully assessing his prey. “You’re not suicidal by any chance, are you, Frank?” Without saying anything else Gianulli turned and disappeared down the corridor.

Instead of relief, Cole began to shake, the worms multiplying and thrashing. Seconds later he dashed to the stainless steel toilet bolted to the wall and vomited the contents of his half-empty stomach. As he felt the nausea build again, he was certain of one thing—he’d be lucky if he slept at all tonight.