



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

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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

Michael Bywater

NEW YORK CITY, 1991

Anyway he wasn't such a bad guy. Wasn't really a bad guy – not *bad*, as in “bad”. There were necessary contingencies to be averted, terms and conditions to be renegotiated, and who the flip could blame him for negotiating from a position of strength, we're not talking intimidation here, maybe the occasional harsh word, hints on attitude and behaviour. Individuals with an overdeveloped sense of impunity might see it as threatening violent extrajudicial consequences like, whatever, getting Hump out of that pigsty back of where the old Shark Bar used to be back in the day, and the real thing is, it's still there, Spring and Mulberry. You're looking for sharks. Stuffed sharks, hanging from the ceiling, a good atmosphere when there is business to discuss but what is this? Prohibition? You want I should wear me a damn fedora? Huh? *Vaffanculo*, son of a bitch? Which simply means you are a dog. Nothing against your mama. You see a businessman with an Italian connection, you *think* you see a hood. A greaseball, a wop, a

Mobster. You see a businessman. If it weren't for us, the government would fold. Compare Vegas with... hell, anywhere you like. Anywhere, AZ. Buttsuck IN. You name it. Vegas wins. Place like here, mobbed up to the gunwales, things work. Chicago, same. Fuhgeddaboutit!

Respectability. We got that. Organization. We got that. People, they say "Ah, you gotta guy in your pocket, every damn Board or Committee or Office, New York City Police Commissioner, New York City Fire Commissioner New York City Criminal Court Judiciary. New York City Marshals New York City Mayor's Office of Management and Budget. Commissioner of Health of the City of New York. You gotta guy everywhere.

That's what they say.

They are *wrong*. We gotta a guy in our pocket, what use is that? Think of sailplaning. You got a tow-rope. You got quick release toggle. You got a weak link. That way, something goes wrong – which occasionally something does go wrong – and you got a cut-out. What you need isn't a guy in our pocket. We want a guy, he is in someone else's pocket, and the someone else's pocket is where we want our guy.

Sometimes, things get one wheel in the sand. Guy finds he's in someone's pocket, he never even knew there was a guy, let alone a pocket. It can happen.

It can happen without warning.

One minute: copacetic. Wife. Sweet kids.

Then.

He can't get beyond that "then". His mind won't go there. He tries. Like trying to scrub blood from tweed. It's permanent.

Blood is always permanent. Also thicker than water; this, his mother told him. You do someone a favour, make sure it's

someone who's family.

He used— Jesus fucking Christ on a one-wheeled bike. Jesus! Did you see that? The cocksucker just pulls in front of me, new model fucking Explorer, piece a shit, excuse my language, Louisa would hate me, that's unnecessary, she says, sign of a poor vocabulary, you should talk the way a gentleman does, she says, inside you *are* a gentleman, Tonio. I'm gentleman, Sweetcakes, I say. I'm a... I'm a guy who, you got contingencies, I will put them in hand. Matters Undertaken, that's my slogan. Go on, Sweetie, give me a smile.

She can't give me a smile. She's at home. A beautiful home. I gave her that home with the sweat of my hands, a fine piece of real estate, locked down like the fucking Pentagon being another advantage, plus, Howard Beach wae you're an hour from Newark *and* JFK, an hour from downtown Manhattan, head south you're on Long Beach, a guy with a Cessna, you're in New fucking England, Dartmouth College, a bunch of classy Co-eds studying liberal arts, you know, I could teach them... no I couldn't.

He turns his head to look at where Godfrey "Dogburger" leVaut, his former chauffeur, used to sit, driving the car. They had been together longer than he and Louisa. Three kids later and Dog had left. Just vanished. Never found out where he'd gone. Some said he was a queer and he couldn't stand it, and it must of been hard, a Black queer lapsed Jew turned Catholic from down among the damn Cajuns but there it was.

You ever had to...

You ever had someone you love like a brother, he just up and vanished.

You ever had a confidant? Dog knew everything. I just talked to him like now, like I was talking to myself, one day he gives me a can of hair groom, LayRite it was called. He notice

my hair was scruffy. Well. I said, Hey, Dog, how come you know the hair dressing I used? He says, Smell. He says Well I went down the drugstore and I say to the guy, my boss, I say, I know he uses the hair pomade in a red can, and I know how it smells – and it smells good –, but I don't know it's name. And Dog and that druggist, they go through all the red-can pomades until I says "That it!" and the druggist say "That's it!" and he says "You work for Mr Salerno then?" and I say "Sure thing!" and he says "I know that hair preparation, we carry it mostly for Mr Salerno, he gets through a can a week!"

A good man.

Pity he.

Pity we

Anyway, that's business. I'm not a bad guy. I care for my wife, I love my kids, I give them a good home.

I'm not a bad guy.

They'll say "He wasn't a bad guy."

That's what they'll say when I

He wasn't a bad guy.

Today he is not feeling so good. Who would, the FBI come round in the night, they have some kind of silent helicopters and night vision equipment. They can see everything in the dark. It's all green. They could be standing next to you as you lie in your bed asleep, next to your wife. Not for him, though. Not last night. He lay in his bed, wide awake, moving oddly under the covers like a flounder. A man shouldn't have to flounder in his own bed. Sometimes the kids would come in when they were little, and they clamber on the bed, and Louisa would wake up smiling, and he'd smile back. The kids said "Top o'the morning to you, Pop," and he'd say "Top o'the morning to you, little lovelies" and sometimes he would find

himself floundering for pure happiness, like a fish in a solemn green ocean, floundering for pure happiness.

Not of late though.

The Feds – the Feebs – must have done their work not just well but earlier. He knew he was on their list, that the Family - not his family but *the* family, the Salerno Family, *La cosa nostra*. His family were meant to be inviolable. Protected forever by the Family his great great grandfather had started, in Sicily, all those years ago. But the defensive wall was cracking. There were signs. Nothing obvious. Hints and allegations. Silences falling when he entered the room. He'd see it before. Was he this season's victim, about to find he was the guy in the other guy's pocket?

Couldn't be. But he had to honk the horn (a solid but respectable German model, imported) to make the security van move out of his way. Blocking a driveway of a customer? C'mon.

“Anything?”

“No, Mr Salerno. Clean as a hooker's—”

“Keep that talk away from my home and my family, please.”

“Sorry. Sorry, Mr Salerno. But we checked everything and no sign, not even any false returns. That house is a fine piece of construction.”

“No coincidence, Mr Bryant.”

“And the sub-bas— “

“Shhh. I told you never to mention it.” Bryant whiffled through his beard.

“No. Not even to me. Okay?”

“Sure thing. Sir.”

The party was fine. Children's parties are always fine. Someone

was sick, someone broke a vase, the Commissioner for Health, a scrawny fellow with an oddly lizardy gait, ate five helpings of Jell-o and was sick into a bonsai maple.

“What we need to do,” said Salerno to a man in a pinstripe, vest and all, “is acknowledge that a large percentage of that waste, that trash, detritus, crap, rubbish, slop and all the rest of it is merely going to get larger. And come from further afield.”

“If we had a deepwater dock with good access,” said the man, “we could—”

“We could indeed my dear fellow,” said suave Mr Salerno. “I think I may know a source who has access to a man who might help us overcome that little difficulty.”

“I hope you’d say that,” said the Assistant Deputy Commissioner for Streets and Maintenance.

“We can I’m sure arrange something to everyone’s satisfaction.”

“I am delighted,” said the suit.

They shook hands and parted.

“Oh by the way, Trackle. Well done getting that shitheap under the aegis of Public Health. Good punt.”

“Where’s Mark?”

“Playing with the others I imagine. A healthy, curious boy of eight? Don’t you remember when Anthony was eight? Only four years ago?”

“You haven’t noticed that ‘the others’ have gone home? Too busy doing business. It’ll be nuclear waste next.”

It’ll be plutonium next, he thought. Sweet little Louisa’s mind ran on strange astronomical tracks.

“I’ll go and find the little bastard and—”

“Don’t call him that. You love him really.”

He loved him really.

He wasn't a bad guy.

They can say whatever they like, I don't give a hang. I don't give a *fuck*. I love him. Of course I do. But I have to let him find the world for himself. See how tough it can be. If he's to succeed me, I have to help him learn the rules. Little bugger.

Outside, beyond the carefully, but not ostentatiously, mown lawn, Mark was rubbing his backside while his brother retrieved the bike from a shrub.

“Dad! I *did it!* I rode the bike! Without the training wheels!”

“He did. It's true. He was brilliant. Until he rode into that tree thing.”

Mark hopped on the new, but not ostentatiously new, Schwinn and pedalled into the quiet suburban street.

David Gawlor, 36, turned into 78th St. And accelerated. Bitterly. Women. His girl had finished with him because he'd bought the new car. It was a horrible car, a big rickety plasticky car. She said he couldn't afford it. She said she wouldn't be able to drive such a huge sucky thing. She said it would be repo men by the summer. He said she was wrong. She laughed.

“Oh, forget it,” she said. “And while we're at it, forget *us*, too.”

He couldn't recall how the next fifteen minutes went but here he was, doing sixty, so when the white Explorer came gingerly out of 160th Ave, Gawlor locked the brakes and spun. The Explorer's spongy tyres screamed but he recovered the car, swerved hard left, then again, then briefly stopped at an odd sort of thumping squash and a splash of blood on the windshield.

On the corner of 79th street, a man and a woman stood in

silence. There was little to say when you have watched your son hurled across the carefully, but not ostentatiously, mown lawn and onto the radiator and across the bonnet, splashing blood as it slid, and then hurled into the bole of a tree so hard they heard the thump as it broke his neck and part-severed his newly eight year old thigh.

They ran. They gingerly manoeuvred his body to the grass. “Mark,” they said, but he didn’t reply. The Explorer was disappearing into the warren of quiet, happy streets. But who cared? Mark Salerno, who learned to ride a bike on his day he died. Guggling noises leaked from his mouth. His legs were quite immobile but one arm still twitched and jostled gently.

“He’s ripped his new jacket,” said Louisa. “His Wrangler jacket. He... oh dear. Oh God. The whole sleeve has been—”

And fell as silent as suddenly as if she had been disconnected at the mains power. Then she screamed.

“His arm,” she screamed; “His arm!”

“Oh God,” said his father.

“Oh God,” said his mother.

“Oh God,” they said together, the last time they would say anything together ever again.

“Oh God.”

Oh God.

He wasn’t such a bad guy.

I wasn’t such a bad guy, he thought.

You’d say that, wouldn’t you?

At least he’d be safe, now he could ride his bike.

chapter two

Heather Lovelace-Gilpin

“ALL RISE. THE HONORABLE Judge Andrew Clinton presiding.”

The bailiff stood tall, his voice loud, echoing through the room along with the shuffle of the spectators standing to their feet. Scott stood, buttoning his suit jacket, resisting the urge to run his fingers through his hair. A habit of his when he’s nervous.

Remember the rules. Eyes forward, do not react to whatever you hear, ignore the jury, and keep your mouth shut.

Sounds easy enough. Unfortunately, Scott’s having a hard time complying with his attorney’s instructions since his eyes strayed to the jury box.

Judge Clinton instructed for everyone, but the jury of twelve of his peers to sit. Scott took a seat, but not before spotting his wife, Alice, in the first pew behind him, Frank sitting beside her. She’s on the brink of tears, hands folded in her lap, wearing the beautiful dress he had purchased for her birthday last year.

I hope she’s not pregnant. Last thing I need is for this kid to visit his pop in prison if I’m found guilty.

They've been trying for a while now. He wasn't sure they were ready, Alice stating she wanted a baby before her biological clock started ticking. He relented, figuring how can he say no to making love to his wife?

"Your Honor, today's case is the State of New York versus Scott Moore."

"Is the prosecution ready?"

Angela Bennett stood to her feet. She's dressed in a suit, her skirt hit below the knees, a beige shirt underneath the suit jacket, mid-heel shoes. There's nothing remarkable about her, the muted colors doing absolutely nothing to brighten her pale complexion.

"Yes, Your Honor."

She returned to her seat, glancing over at the defense table.

"Is the defense ready?"

Danny quickly stood to his feet.

Am I making a mistake letting Frank's in-house attorney represent me? Does he even know anything about criminal law?

"We are, Your Honor."

Judge Clinton nodded, eyes scanning the courtroom.

"Please proceed, Ms. Bennett."

There's a moment of silence as she riffled through a stack of papers. Scott's seen enough crime shows to know what to expect. They will make him out to be a horrible person, they will say he killed an eight-year-old boy, and fled the scene in hopes he would get away with it. They will dredge up every bad thing he's done, every secret they can find on him. He did his best to look calm, but truth is, he's freaking the fuck out.

"Your Honor, members of the jury. My name is Angela Bennett and I represent the State of New York. We intend to prove that Scott Moore struck and killed Mark Salerno on

March 23, 1991, in his white Ford Explorer. He then fled the scene of the accident, leaving this eight-year-old boy to die alone on 79th Street in Queens.”

Scott resisted the sigh, wiping his damp hands on his slacks. He wanted to scream it. At the top of his lungs.

Allegedly. Innocent until proven guilty, you stupid bitch.

She went on to say why the jury should find him guilty, reciting some case law bullshit, forensic evidence that went right over his head. She went on and on, her voice drab and boring, the urge to yawn overwhelming, but knowing damn well it would not look good. To the jury or the Salerno family shooting glares from where they're sitting.

When she finished, it's his turn. Danny took a sip from his water glass, stood to his feet, buttoning his jacket, and after addressing the jury, he went into his opening statement. Scott Moore is innocent. He denies hitting anything or anyone, including Mark Salerno. The prosecutor cannot show with a reasonable doubt Scott's guilty of the crime. The State cannot show with a reasonable doubt he did the horrific things he's accused of. It is the jury's duty to find him not guilty.

If only it were that easy.

Opening statements ended. Prosecution calls their first witness. Scott straightened up in his seat, glancing behind him to see Alice. She gave him a small smile, but he can see she's just as terrified.

I know, Baby. Not exactly how I wanted to spend my day either.

Bailiff sworn in the witness, one of the arresting officers. He took a seat in the witness box, went through the spelling of his name, rank, blah blah blah, and here come the questions.

“We were alerted to a white Ford Explorer parked on the street. When we arrived, it was Mr. Moore's place of

residence.”

“Was Mr. Moore home?”

“Yes.”

“Did he answer the door?”

“Yes.”

“Did you identify yourselves and the reason for your arrival?”

“Yes, Ma’am. We did.”

“And what did Mr. Moore say?”

“He didn’t say much of anything. When he answered the door, he appeared agitated, nervous, and when we questioned his whereabouts, he gave us vague answers.”

Scott glanced at Danny to see why he has said nothing. Isn’t he supposed to object or something? Isn’t he supposed to be taking notes instead of doing nothing?

“In your opinion, did Mr. Moore look guilty?”

“Objection, Your Honor.” Danny suddenly called out, a little loud, causing Scott’s head to snap up. “Calls for speculation.”

About damn time.

“Sustained.”

Angela Bennett took a moment to compose herself, pursing her lips as she considered her next question.

“While you were questioning Mr. Moore, did you notice anything out of the ordinary?”

There’s a pause, the officer’s eyes darting to Danny before returning to Angela.

“We noticed a torn strip of light denim with dark stains that resembled blood...”

“Objection, Your Honor.” Danny called out, standing to his feet again. “The witness is not a qualified expert to distinguish whether it was blood on the cloth or if it was some

other dark residue.”

“Sustained.”

Judge Clinton scribbled something onto a notepad sitting in front of him.

Angela picked something up from the prosecutor’s table, sealed in a clear ziplock bag.

“Your Honor, the State would like to enter into evidence as Exhibit 1. Is this the torn denim you collected at Mr. Moore’s residence?”

“Yes, Ma’am.”

She turned to address the jury.

“The same denim forensics later determined was torn from the sleeve of Mark Salerno’s jacket. Forensics also confirmed the dark stains is blood and is a perfect match to Mark.”

“Objection.” Danny said, jumping to his feet. “Counsel is testifying.”

“Sustained. Ask a question, Ms. Bennett.”

“What happened when you spotted the denim?”

“We Mirandized Mr. Moore, arrested him for the death of Mark Salerno, and logged the denim into evidence.”

“That’s all I have. Thank you.”

Angela moved towards the prosecution table and took a seat.

“Defense may cross-examine the witness.”

Danny stood. He buttoned his jacket, addressed the jury with a nod and a smile before his eyes rested on the officer.

“Did you have a search warrant when you arrived at Mr. Moore’s residence?”

“We did not.”

“Why is that?”

“At the time, we were there to question Mr. Moore’s whereabouts.”

“Did he give you permission to search his home?”

“No.”

“Did he say you could take the cloth?”

“No.”

Danny’s hands went to his hips.

“Let me get this straight. You arrived to question Mr. Moore based on the Ford Explorer parked in front of the residence. You questioned Mr. Moore and during the questioning, you spotted a piece of cloth that resembled the victim’s, and instead of calling for a warrant to search the premises, you arrested my client and took possession of the cloth. Is that correct?”

“Objection. Counsel is testifying.”

“I am merely getting the facts straight.”

“Overruled. Witness may answer.”

“Yes, Sir.”

Danny said nothing for a moment, letting it sink in, the courtroom falling silent except for the soft whispers that quickly stopped, a shoe tapping the floor, one of the benches squeaking when the occupants shifted their weight.

“Your Honor, I would like my objections on record as to the evidence the State presented on grounds it was obtained from an illegal search and violates my client’s 4th Amendment right.”

Angela’s quick to stand to her feet, opening her mouth to argue. Judge Clinton lifted his hand, putting a stop to whatever argument she had.

“I am going to excuse the jury while we discuss this further.”

Scott watched as the jury stood to their feet one by one, following the bailiff through a private door.

“Your Honor, the officers had probable cause based on the

vehicle matching the description and the way Mr. Moore conducted himself.”

“Did the officers attempt to secure a search warrant?” Judge Clinton inquired.

“No. They were concerned if they didn’t collect the evidence, it would be gone by the time they returned.”

“Did Mr. Moore give them consent to search?”

“Not that I’m aware of.”

“He did not.” Danny pitched in.

Scott stared at Danny, making a mental note not to play poker with this man. He’s got one great game face. Because he has no idea what he’s thinking or if this is good for him.

“In light of this violation of Mr. Moore’s 4th Amendment right, I request that all charges against Mr. Moore be dropped. *Payton v. New York* states that any search and seizure inside a home without a warrant is presumptively unreasonable.”

“They had probable cause—”

“Can you make your case without this evidence?” Judge Clinton interrupted, arching his right eyebrow.

Scott held his breath. He glanced at Alice to see the same hopeful look written all over his own face.

“Our forensics matched the blood on the denim to that of Mark Salerno.”

“It’s an obvious case of the fruit of the poisonous tree, Your Honor.”

Angela spun around to glare at Danny, opening her mouth.

“Not the question I asked, Ms. Bennett. Can you make your case or not?”

It took a moment for her to answer.

“No, Your Honor.”

“You have wasted not only the Court’s time, but the jury.

The next time you step foot into my courtroom, Ms. Bennett, you better be prepared. I hereby dismiss all charges against Scott Moore.”

The sound of the gavel slamming against the hard wood echoed through the now noisy courtroom.

chapter three

Jeni Blue

THE WIDE DOOR CLOSED behind Otis, the scent of aged books replacing the stale air of the courtroom. He glanced at the bookcase behind the desk, scanning the numbers on the spine and finding peace in the structure. The order. He didn't understand how people could arrange books without logic. Or worse. Out of sequence. What kind of person shelves the 200s below the 400s? He shuddered. That person could not be trusted. Their books were a performance. His mind filled with images of the pristine encyclopedia set his friend, Ryan Dixon, had when they were in sixth grade. He wanted to devour every book. Ryan had never opened one. Not even to look up the ever illusive human anatomy. He shook his head to clear the thought from his mind. He had a job to do.

Judge Clinton stopped writing and looked at Otis. He wasn't surprised to see the Aide to the Mayor of New York City in his chambers. He had been expecting a visit. Perhaps not this immediate. The media pressure on Mayor Broderick had intensified with this hit and run case. It would reach fever pitch with his dismissal. Secretly, he had always wondered if

the Mayor's permanent tan was a strategy to hide his face, reddened from embarrassment. Or anger. He opened his mouth to defend his judgement, then decided to sit tight. Let Mr. Johnson speak his mind. It was usually better this way. He didn't have to wait long.

"Hello, Judge. It's a shame what happened to Mark, don't you think," said Otis, the irritation clear in his voice. His emphasis on the word, "shame."

"It's always a tragedy when a child dies, Mr. Johnson. The court does not take that lightly. And neither do I." He thought about his daughter, Jean, and flinched at the vivid image of her face on the child's broken body. Left in the street to die. Her blood, instead of his, staining the pavement. "If the police had followed procedure for their search, we wouldn't be having this conversation."

"Maybe. Maybe not. It hasn't escaped the Mayor's attention how many acquittals seem to come out of your courtroom." Otis raised his left eyebrow, his signature look. "Judge Wapner has a better record than you, sir. No offense."

"The People's Court is entertainment, Mr. Johnson. I doubt Mr. Wapner worries much about The Fourth Amendment."

"I heard he might retire in a couple of years. Perhaps if you continue your acquittal record, you can take his place. I've heard inklings about auditions. I could hook you up." Otis smiled. As ridiculous as that show was, he couldn't help but admire the theatrics.

"Perhaps the Mayor should stop watching Judge Wapner and tune into Law & Order. It, at least, includes a mildly accurate portrayal of police procedure before getting to the court. Mr. Johnson, the police conducted an illegal search. It's that simple. My job as judge is to uphold the law. Even when

it's not convenient to the Mayor. Perhaps your time would be better spent with your colleague, Police Commissioner Thompson.” Judge Clinton looked at his notes, wondering how much time he spent documenting his cases.

Otis watched the Judge, who was absentmindedly tapping his pen repeatedly on a notepad. Was he nervous? Did he know the true reason the Mayor was irritated with him? Did he know what he had done? Otis tilted his head to the side, his thinking pose. He was excellent at his job, saving the Mayor from a few potential scandals along the way. The Mayor didn't make it easy though, at times. His friends were difficult to distinguish from his enemies.

The screeching of the fax machine broke the silence.

Otis stretched, feeling the weight of the day in his shoulders. “Judge, let's take a walk. Find some coffee.”

Judge Clinton stared at Otis, wondering about his motivation. He tapped his pen three more times, then placed it in the cup with its mates. “We get coffee and come right back. I have work to finish. Tom's Restaurant will be quick. Well, if it's not flooded with Seinfeld tourists.”

Otis chuckled. He'd seen the crowds around the diner. Always worse on weekends. Getting the Judge out of the office might loosen him up a bit. And he could drink coffee for breakfast, lunch, and dinner. Hell, he could drink coffee at a bar. It's versatile.

Waiting on the corner for the light to change, Otis wondered what it would be like to jaywalk with a judge. Do they do that? He knew judges, and lawyers, who weren't as particular about the law as Judge Clinton. “I am curious about something.”

“About Scott Moore?” The Judge sighed. He'd been waiting for this. He wasn't an idiot. He knew the hit and run

defendant had connections. The flashing red hand disappeared and they dove into the wave of oncoming pedestrians.

“If you were going to acquit, why did you let your disdain for the defendant bleed into your comments? Why not hold back?”

“An acquittal does not mean innocence. You know that as well as I do. Perhaps my frustration is visible sometimes.”

“Sometimes? It was clear in that courtroom today. No one could mistake your feelings, sir.” One more street to cross for coffee.

“My daughter likes this area, Mr. Johnson. She’s a student at Columbia. Did you know that? One of my greatest pleasures is hearing her voice. It’s a lucky day when I’m in my chambers during a recess and can take her call. You know what she’s been excited about lately?”

Otis had no idea where he was going with this.

“Some band called the Spin Doctors. They played at a frat house and now she’s waiting for the world to know how magical they are. Those are her words. Magical.”

“That’s... great sir,” Otis said, holding the diner door open.

“That little boy’s family won’t be getting phone calls about magical music from local bands. That little boy won’t grow up to attend Columbia. He won’t go to frat parties and listen to jam bands. He won’t do anything anymore, Mr. Johnson.”

Otis moved the Judge through the line and back out the door. The hot cup in his hand gave him time to think. The coffee smelled warm and pleasant, a contrast to the whiffs of garbage and sweat they caught as they walked. Although he did enjoy the aroma of hot dog carts. He supposed that wasn’t very New York. Maybe some would call it, “touristy.” He didn’t care. To him, it smelled like hope.

“You want to know about Scott Moore? That imbecile doesn’t care about the boy he likely killed. His employers don’t care about that child.” The Judge stopped walking and stared at Otis. “And now I’m starting to wonder if the Mayor cares about him either.”

“Oh, he cares, Judge. He grieves with the boy’s family.”

They pushed on. “Then what is it? Why does my record suddenly interest your boss? Why does Mayor Edward T. Broderick care about how I spoke to a defendant in MY courtroom?”

“Judge, you know how campaigns work.” Otis passed through security and followed the Judge to his chambers, once again welcoming the scent of books.

“That’s what this is about? The Mayor is upset about campaign donations?”

“Your Honour, Scott Moore is the brother-in-law of Frank Cole. As you know, he’s a leading real estate developer. He’s influential, some might say.”

“Now I feel like we’re in an episode of L.A. Law. This is ridiculous.”

“With all due respect sir, that show is fantastic. And nothing like what we’re talking about here. You know that Mr. Cole is an esteemed member of the community. Your treatment of his brother-in-law did not go unnoticed. The press certainly picked up on it.” Otis burned his tongue on his coffee. He knew he should’ve waited.

Judge Clinton sat back in his chair, steepling his fingers under his chin. “He was a little boy, Otis. A child.”

“I know, sir. I do. It was a tragedy. No one denies that. But you have to admit, you did give Scott Moore a hard time. What about innocent until proven guilty?”

“Mr. Johnson, -”

“Oh, I see we’ve departed from the first-name zone.”

“I will not allow the Mayor to influence my actions in the courtroom. It’s not personal, nor should it be. I swore an oath. And it wasn’t to the Mayor.” He grabbed a pen and furiously made shapes on his notepad, a habit he picked up in law school. The repetitive movement sharpened his ability to listen. It was better than the alternative. He’d seen what kind of damage people could do to each other with pens.

“Judge, you ran your campaign on a law and order ticket. You made promises to the people of New York. Your acquittal rate is quite high. Do you really think you will get reappointed? Without more convictions?”

“Again, you should be talking with Commissioner Thompson. If he and his police force were doing their jobs, I’d be happy to convict the proven guilty. The truth is, they fall short. And I have no choice but to acquit.”

“If your treatment of Scott Moore negatively impacts the Mayor’s campaign donations from Frank Cole and his associates, you should seriously consider that offer to take Judge Wapner’s place on The People’s Court. You need to get your conviction numbers up.” Otis stood, taking one last look at the bookcase and spotting two volumes he hadn’t noticed.

“You know where I stand. I have to admit, I do enjoy The People’s Court theme. It’s catchy. I won’t pretend I don’t think of it when I put on my robes and walk into my courtroom.”

Otis shook his head and paused before opening the door. “Judge, your term expires in December.”

“I am aware, Mr. Johnson. Otis. Thanks for the coffee.”

The door closed and immediately sprang open, Otis’ head in the doorway. “One last thing. Volumes 312 and 313 are in the wrong order on your shelves. You seem like the kind of person who would want to know.”

Otis disappeared and the Judge spun around in his chair to swap the order of the books.

chapter four

Russella Lucien

THE COURTROOM CHURNED WITH people settling into their seats. The court reporter took her seat on the right side of the judge and the bailiff stood stoically on the left. Angela Bennett wore her grey suit and sat at the prosecutor's table reading her notes and preparing her thoughts before announcing the decision of the office for this case. Joel Saunders sat with his attorney at the defendant's table. His boss gave him cufflinks that matched the crisp white shirt that matched his navy-blue suit with the tartan tie. Joe did not look behind. She might be sitting in the seats behind the prosecutor.

The late winter evening saw Joel sitting at the bar and stirring a drink at a bar in midtown Manhattan. He looked down at the scotch and thought he would end the night early. He called out to the bartender and said, " One more shot of scotch and make it neat." The bartender turned around and poured out the scotch with a touch of tap water and slid it towards Joel. Joel drank the scotch and placed the glass on the bar. Then he turned around and saw a slender brunette sitting at the bar

drinking a glass of red wine. He thought, "My night might just get more interesting." He slid over to her and Mandy smiled and said, "Hey".

Joel and Mandy talked about the Rodney King video and seeing the movie LA Story last month. They talked until the last call with empty highball and wine glasses on the bar. Mandy could feel her eyelids droop and Joel said, "How about I hail a cab for us and take you home?" Mandy wasn't so sure about it but then said, "You know what, I probably do need a little help to my apartment."

They both sat in the cab while it drove across town to Mandy's apartment. Joel held her up in the elevator and helped her open the door. Mandy said, "Thanks for the help. Would you like to come inside for a minute?" Joel walked into the apartment and shut the door.

The next morning, Mandy woke up with a pounding headache and soreness below her waist. She saw a note and it read, "Thanks for the fun evening. Joel 212-585-3129" She remembers laying on the bed and then everything went black. She looked at her bruised thighs and sore wrists. Mandy ran into her bathroom and began to shake and tremble. She looked at her face with smeared makeup and messy hair. She desperately wanted to remember but could only feel sore and dirty. She made a phone call to 911. The person responded, "911 what is your emergency?" Mandy said, "I think I've been raped. I don't know but I feel sore and I see bruises and my makeup is smeared." Mandy's eyes started to water and the voice on the other end replied, "I will send the police and an ambulance. Just stay on the line." Mandy felt hot tears stream down her face as she curled up into a ball on the pleather couch while holding the phone.

Judge Andrew Clinton banged the gavel to maintain the order of the court. He looked at the case notes. It was a he-said, she-said case of rape. The victim accused the plaintiff of sexual assault after a night of drinking. Judge Andrew saw that this could be his daughter Jean. She could be a poor rape victim after a night of drinking with the wrong guy at Columbia. Judge Andrew saw the well-dressed defendant with the dark double-breasted suit, cuff links and slicked back hair over a lightly muscular frame. He wanted to make an example of this slick creep.

Joel looked above the Judge at the words, “In God We Trust.” His defense lawyer Malcolm Dekker, an older man with salt and pepper hair and a three-piece pinstripe suit said, “Don’t worry. Just stay calm.” Malcolm looked at his notes and then nodded in the direction of Angela. She nodded in his direction. Judge Andrew asked, “How does the defendant plead?” Angela, Joel and Malcolm stood up. Malcolm said, “My client pleads guilty to third-degree assault with a plea bargain with the Prosecutor’s office.” Judge Andrew narrowed his eyes and said, “I’ve read the notes from the case and this warrants a full trial with the charge of Rape in the first degree. This plea is not acceptable! In my chambers!” The crowd gasped and then Judge Andrew banged the gavel and said, “Settle down! Settle down!” Angela, Malcolm and Andrew walked into chambers.

A surprised Joel greeted two detectives at his door a couple of weeks after the encounter with Mandy. Joel talked with the detectives and gave his version of the events. He did admit to having drinks with Mandy and going back to her apartment.

Joel said, “Look, a hug led to a long kiss and then to the bedroom. It was a wild night with Mandy. She fell asleep and I

put my clothes on and took a cab back to my apartment. I did not rape her. I wanted to keep in touch with her.”

The detectives then interviewed Mandy. She said, “I remember closing my eyes and blacking out. The next morning, I woke up with bruises on my thighs and wrists and my hair and makeup smeared. I felt sore all over. I know what a hangover is and this was no hangover. He took advantage of me.”

The detectives visited Joel’s office at the real estate development firm and placed a set of handcuffs on Joel’s hands. The rest of the office looked at him while the metal bracelets tightened around his wrists. Joel said, “I didn’t do this. I’m innocent. Why did you arrest me at the office?” One of the detectives said, “It’s better if you use your right to remain silent.”

Joel was arraigned in court the next day. He had a legal aid lawyer and the judge asked for bail in the amount of \$100,000 cash or bond. He could ask his mother in Boston for the money but she would have to put up her house as collateral. He didn’t want her to do that.

He stayed in the notorious Rikers Island Jail for a month, praying to stay alive in this death trap. Joel got the news that he got bail while working in the kitchen. He found out that his boss Frank Albert Cole III provided the funds to get him out of sleeping with the rats and cockroaches. Joel dropped open his mouth and thought, “Why is he bailing me out? Is this for the housing shit in Brooklyn?” Joel didn’t question the generous help. When Joel got back to his apartment, Frank introduced him to his new lawyer Malcolm Dekker, a \$200/hour defense attorney that previously worked for the prosecutor’s office in Manhattan. Joel spent the next couple of months working from home until the pre-trial motion. A

week before the pre-trial motion, Malcolm and Angela met at the prosecutors' office to discuss the case. Malcolm shook Angela's hand and said, "Long time, no see." Angela replied, "I see that criminal defense has been good to you." They both sat down at the long conference table and Malcolm said, "I looked at the case and I know that you want this to go away." Angela replied, "I saw the pictures of the bruises. This looked brutal and rough." Malcolm paused and said, "But the victim didn't say she was forced but realized that she had some bruises and a headache. Do you want to go to court based on a hangover?" Angela thought, "An expensive, drawn-out trial will make the victim look like some bar tramp taking a random dude back to her place. Could the office stomach this trial with an acquittal?" Angela said to Malcolm, "How about an assault charge?" Malcolm says, "I'll talk to my client about the offer."

Judge Andrew removed his robe, sat down and asked, "What type of bullshit deal is this?" Angela said, "We looked at the case and saw that a trial would be traumatizing for the victim. She hasn't left her apartment for months. I have discussed with the victim the difficulty of a trial and the presence of alcohol that night. She's O.K. with the plea deal. She didn't come to this hearing." Malcolm said, "My client said that this was a consensual one-night stand, not rape." Judge Andrew said, "Rape is a serious charge. Why would this be pleaded down to a misdemeanor? This plea isn't for the victim. You don't want to lose in a murky trial." Angela walked toward the judge and responded, "Frankly, did you want to preside over a case that might result, at best, a hung jury and at worst, an acquittal. I wanted the victim to have some semblance of justice. You have to worry about your win/loss rate like

everyone else.” Judge Andrew looked to Malcolm and said, “You’re not convinced that your client is innocent since your client would have gone through with the trial to clear his name.” Malcolm said, “My client sees this as a misunderstanding that he wants to clear up. He doesn’t want to go through a lengthy trial as well.” Judge Andrew shuttered and thought about the likelihood of a rape conviction with alcohol in the mix. Judge Andrew said, “We’re going back to resume the proceedings.” Angela returned to her table while Malcolm returned to the table with Joel sitting beside him. Joel asked Malcolm, “What’s going on? Is the deal still valid?” Malcolm said, “The judge is still deciding what to do but don’t worry.”

Judge Andrew came back from chambers and said, “The terms of the plea deal include you describing the details of the crime. Please detail what happened on that night.” Joel stood up and said, “I went home with the victim back to her house and we began to hug and one thing led to another and we had sex. Then we fell asleep. I woke up, put on my clothes and left the apartment.” Judge Andrew shook his head and thought, “Even in allocution, he is minimizing the crime. But I have to push this along since the court will never really know the truth. Was this a brutal rape or two people engaging in enthusiastic intercourse?” Judge Andrew said, “The allocution is acceptable and the defendant is convicted of third-degree assault. With time served, you are free to go Mr. Saunders.” Angela walked out of the courtroom. Malcolm shook Joel’s hand as they walked out of the courtroom after Angela left. Judge Andrew went into his chambers and poured out some whiskey.

chapter five

Emily Thrash

ANDREW GRIMACED AND FLEXED his back, which stubbornly refused to give the satisfying crackle he was looking for, as he swiveled his chair to his desk. He began the task of sorting the material that had manifested on his desk over the course of the morning. Paper accrued like leaves in the fall every moment he was absent, it seemed. *Yardwork never ends*, he thought to himself, though not bitterly.

One file perched on its own and on it post-it with familiar hand writing read “For your amusement, -KA”.

Andrew frowned as he opened what appeared to be a standard civil suit regarding a negated purchase contract: *Stambovsky V Ackley*. He flicked to the photograph of the property, a Victorian style house in mediocre condition on the bay. He didn't recognize it and shook his head, wondering what there was at all relevant to him about it, much less amusing. While his wife and he had a bit of a hobby regarding old New England architecture, they'd never the means acquire such a property. Scanning the brief, the case at first seemed rote, which voided the contract of sale of the property based

on an exception to the caveat emptor. He supposed it was somewhat laughable that the dispute of the purchase was whether the property was haunted. He was not interested in the so-called paranormal, but was no stranger to its invocation in legal cases.

Then he spotted that Kirsty had used some “sign here” tags to point to a few phrases in the judge’s decision, and his chuckles escalated to a cheerful guffaw with his head thrown back. Drawn by his laughter, Kirsty poked her head in the door.

“Which one was it?” she asked. “Did you like that the plaintiff doesn’t have a ‘ghost of a chance’ bit or the fact that he was moved by the ‘spirit of equity?’”

Andrew took several breathes to control his laughter. It took several seconds before he could compose himself enough to read aloud “caveat emptor is a hobgoblin...” He pressed his fist to his lips a moment to keep from being lost in laughter. He swallowed and picked up again, “a hobgoblin which should be exorcised from the body of legal precedent.”

“Thought you’d like that. Want me to set up a lunch with the justice?”

“Of course—though not this week. In a few.”

Kirsty seemed about to continue on to something else, but was interrupted by a ring from Andrew’s phone. Instead she nodded and backed out of his office and shut the door behind her.

“Justice Clinton,” Andrew answered, tucking the phone between his ear and shoulder.

“Andy,” the voice over the phone replied, as if correcting him.

“Amy, hel— “ Andrew started, recognizing his wife’s voice but failing at first to absorb her tone.

“Andy, is there something I need to know?”

Andrew felt rivulets of chill spread over his arms and leg.

“What’s happened?”

“A man’s been here. He came up right to the door.”

“What man?”

“He called me Amy. Handed me this little jewelry box, like the kind from Macy’s. He said, ‘are you listening?’”

“Yes, Amy, who—“

“No, that’s what he said, Andy. He asked me, ‘Are you listening?’ and then he said ‘Scott Moore is gone. Pop goes the weasel.’ And then he turned and left. It would have been just about the creepiest thing I’ve ever experienced, except—“

“What was in the box?” Andrew asked, unable to stop himself. He realized he was standing, pressing the phone hard into his ear with his hand, but did not remember rising.

“Dirt,” Amy responded, taking no offence at his interruption. They had a 30 year-long habit of interrupting each other, but for them it didn’t feel like rudeness. It felt only as if their two sides of the conversation were more closely interwoven than civilized people would allow, entangling their words like they sometimes would their legs.

“Was there anything—“

“Filled to the top with dirt, just ordinary dirt at a look, but I didn’t dump it out to see—“

“When was—“

“I didn’t even bring the thing in, just put the lid back on and left it on the stoop, came right in and called you, less than two minutes ago.”

“What did he look—“

“That’s just it, it would have been the creepiest thing, except I knew him.”

“What?”

“Well, not knew him by name or anything but he was an actor. I know it was him because as got to the bottom stair—“

“What was he in?”

“I said to his back that stupid line—‘I love the buildings, they’re so tall.’”

“The New York tourism commercial?”

“And he just froze for a second and then started to half run half walk down to the street. I embarrassed him by recognizing him, I think.”

“You okay?” Andrew asked.

Amy gave a sardonic laugh. “That’s why I called you. Am I? Is there something I need to know? Do we need to get Jean and go somewhere? What the hell, Andy?” She was laughing, but it was not his wife’s bright and musical laughter, but a metallic chortle that seemed to catch in her throat.

Andrew was quiet. He listened to that wrong laughter as it quieted and died too, and they stood together in silence on the phone, exchanging what was needed just be the sounds of the other’s breath. Andrew waited until his own heart was steady and he could tell by Amy’s quietude that she was over the worst of her fright. She was not a fragile woman.

“Just call Jean. Check on her and remind her to be careful but—“

“Just in the usual way I would on any day.”

“Right, just so.”

“You going to call someone?”

“Yes, right now. I promise I’ll know more by tonight.”

“Be careful. In the usual way.”

Three hours later, Andrew got to the agreed-on book store ten minutes before the agreed-on time. He pulled a copy of *Four Past Midnight* off the new release shelf and settled on one of

the shop's browsing chairs with it. He was only far enough into the book to realize that it was short stories, not a new novel, when Commissioner Thompson settled into the chair next to him with a quiet clear of the throat.

"Commissioner, thank you for seeing me."

Joseph Thompson smiled and his smile was as neat and professional as the rest of him. His hair was what Amy would have called "Camera-ready," though without any obvious grooming that would have been considered vain for a professional man.

"It is not a problem. I planned to stop here on my way home." He held up a copy of *Four Past Midnight*. "Short stories. Disappointing, but Mary and Joey will want it all the same. Only I'm not buying them two damn copies like they made me do *The Stand*. They'll just have to flip for it for all I care."

"What do you know?" Andrew cut in.

"Well," Joseph replied, sighing and settling back in his chair. "It's true, for a start, that Scott Moore is gone. That much will be in the morning papers. Officially reported missing last night by his wife, but he hasn't been seen since Monday morning. Left for work as usual, but according to Frank Cole, never got there."

"And?"

"That's about it for the positives. The rest is all negatives. No activity on his cards, though Moore was a habitual cash-user, so that doesn't give any kind of reliable time line. No plane ticket in his name. No rental car. The family car is where it always is, according to the wife, and Cole's car that he let him drive when needed is accounted for too. He's not on any friend's couch that we can find. He's properly not around."

"Does 'Pop goes the weasel' mean anything to you?"

"I was just about to get around to that—but how did you

hear that phrase? Other than the stupid bratty song.”

Andrew explained the message his wife had received that noon. Joseph propped his chin on his hand to cover a smile when he explained about the actor Amy had recognized from the tourism commercial.

“David Joiner, yeah, we picked him up about two o’clock this afternoon. Fucking moron, that guy. He didn’t mention the stop off at your house, so I guess we’ll have to run him in again tomorrow, but I doubt that will change his main narrative.”

“Which is?”

“Hired in cash to play a practical joke.”

“And you believe him? Who would take a job like that?”

“A fucking actor who’s known in all five Burroughs.” Joseph affected the idiotic tone Joiner used in tourism commercial. “I love the buildings, they’re so tall.”

“Who hired him?”

“According to him, he called a number on a flier outside his agent’s office.”

“Are you serious?”

“I told you, the man’s a fucking moron. Of course that’s bullshit. But for now, we’re playing like that’s a logical story. You did me a huge favor, actually. He didn’t tell us there was a third stop.”

“Who else got visited?”

“Alice Moore called us this morning, about ten. Box of dirt, same line. We called around and Frank Cole’s wife Beth got a similar visit about eleven. We found Joiner at his house around two. Detectives said he trembled like a leaf and gave a line about the flier, but of course he was approached by some thug or another. His failure to mention the third stop is plenty enough to haul him in again and press him into the real story,

but I---you shouldn't get your hopes up, he's just a fucking moron."

"I'll need more than this, Commissioner."

"You've got the new King to take home. That will have to be enough for tonight."

"This isn't funny. The man walked out of my courtroom a free man because of your department's—"

"Oy, enough of that now." Joseph sighed and sat forward, propping his elbows on his knees. "You can go home and tell your wife not to worry. That little bit of theater this afternoon will be the last she hears of the matter."

"And you know this because?"

"Scott Moore is properly gone. He's not going to show up and cause any more cross fire. Take it like this—probability the first: Scott Moore gets a lucky break in your court room, but he knows what the name Salerno means and he runs away with his tail between his legs. Salerno keeps the name Salerno meaning exactly what it does in this city with a creepy little stunt to take credit. Probability the second: Moore is wrapped in plastic somewhere with no need for air holes. Salerno keeps the name Salerno meaning exactly what it does in this city with a creepy little stunt to take credit. Either way, Moore and Salerno have no more business with Justice and Mrs. Clinton."

chapter six

Wangari Muchui

IT'S A BRIGHT SUNNY morning but Judge Andrew Clinton office feels cold. He walked in, sat in his chair and his head begun to throb. He wondered how he would make it through the day. Yesterday he had to set Scott Moore free, again. This was the fifth case this month, which had aborted in his courtroom. He looked out of the window. He was not focused on anything in particular. His mind was racing on what the next step would be. The Scott case had been a disaster, yet he was sure the prosecution's case was water tight. He was sure this time Scott would get a long prison sentence. This was going to be the case that would mend his relationship with Mayor Broderick.

The mayor had talked to him about the rising aborted cases. He felt the mayor should have been talking to the police commissioner instead. He had to follow the law. If the prosecution messed up it was not his responsibility. But for the Scott case the judge felt the mayor was getting too personally involved. Clinton had heard that he had some ties with the mob. Specifically Tony Salerno. The mayor had off

course denied it. But whenever he had called Clinton, he always seemed to imply that for this one, a conviction must happen. He kept repeating the phrase "to whom much is given, much is required". Clinton had wanted to ask him how a quote from The Bible applied to him. But he thought better of it. He knew what he was been asked to do.

In the past one year, his relationship with the mayor had become cold. There was a time they could meet up and discuss the football season over a bottle of scotch. But now every interaction felt like a piece of metal grazing the tarmac. More than once their telephone conversations had degenerated to a shouting match. It was unprofessional. Nowadays he preferred to communicate with the Mayor through his secretary. He knew that ticked off the man, but he no longer cared.

Scott was no stranger to the courts. He had been charged for different criminal and civil offences over the years. But somehow he had always beat the charges. The press had labelled him the "comeback kid". Scott loved the attention from the media. Yesterday Clinton looked at Scott as he completed reading his ruling. Scott had his trademark cynical smile. A mocking smile that seemed to say "you'll never catch me". It's like this kid was sure nothing pinned on him would stick.

He remembered the first time Scott had been before him. He was a lanky teenager then. He had just turned 18. And was facing charges of robbery with violence. But for a kid his age, he showed no fear. He seemed relaxed all through the trial. In fact his parents, who sat behind the courtroom, seemed more concerned about the case than he was. That case had collapsed because the eye witness accounts were conflicting. And again Mr Moore, walked scot free.

As Clinton was wondering how one man can get catch so

many breaks, he heard a knock on the door

“Come in”. Kirsty walked in whistling, wearing a navy blue skirt suit a bright blindingly yellow scarf and yellow six inch heels. He didn’t approve of the way she dressed or her endless whistling. Last week he passed her on the corridor singing. She must have thought she was humming to herself. But she was loud enough for other staff to hear her. She didn’t seem to mind. She waved at him and merrily went on her way. He felt her dressing and her conduct sometimes were improper, disrespectful to him, his chambers and the judicial system as a whole. But apart from her strange sense in attire, and her cheery attitude she was a hard worker. She regularly stayed on in the office working up to midnight. And the next day would be the first to report to work. Last year, on Christmas Eve, she was working on a case and called his house at 4 am. Because she had just completed one of his case reports. She wanted to know if she could drop it off at his house on Christmas day! He wondered if she had friends, a family, and a social life.

“Top of the morning Judge Clinton”

“Morning Kirsty”

“I have collated all the morning newspaper articles about the Scott Moore case for you. Everyone seems to be discussing ‘the comeback kid’ case today”. She hands him a plastic folder with newspaper cuttings. Clinton looks at it and instantly feels a churning in his belly.

There has been a media circus around the case. He had ordered that there should be no discussion on the matter until the final ruling. But this did not stop arm chair analysts from giving their opinion on the case. He knew it could compromise the hearing. He even tried to request the mayor to speak publicly on the matter, but the mayor flatly refused.

“Thank you, Kirsty”

As the judge is skimming through the articles, he comes across a section that speaks of ‘sources within the police force’ that claim that there was probable cause for the cops to be in Scott’s hallway on the day of his arrest.

If there was probable cause, then that would mean his ruling was wrong. He shows, Kirsty the article. And instructs her to look into it.

“No problem judge, I am already on it”

“What do you mean?”

Kirsty tells him that her boyfriend Pete is an NYC police officer. And he told her Scott had gone missing. Clinton is surprised she has a boyfriend. When does she spend with him? since she’s always at the office working

“Judge you look surprised”

“No, its fine, what did... erm... your boyfriend tell you?”

She tells him according to Pete, there were cops who were trailing Scott’s movements. After leaving the court house, Scott met with his wife at a coffee shop. They talked for a while. They seemed to be arguing about something. Then Alice cursed him out and stormed out of the shop. Scott headed to the restroom. From then on he can’t be traced. He seemed to have vanished into thin air. He can’t be found anywhere. Then this morning, the bombshell. The investigating officer said that there was a torn denim sleeve with the blood stain found at Scott’s hallway. He had it recorded and signed in at the evidence registry. But this morning it was missing. The police commissioner is breathing fire. He says the office of internal affairs is threatening to get involved in the matter. It seems someone in the police department has been compromised. A meeting of the senior detectives had been scheduled for later today to discuss the

matter.

Clinton was impressed. First that Kirsty was dating a cop. And not only a cop, but one who fed her information. She may dress funny, but she was proving very resourceful.

His thoughts are interrupted by the phone ringing . It's the mayor

"Good morning Mr Mayor"

"Morning Judge. I trust you have seen the papers this morning. Do you understand the pressure you are putting on my office?"

"With all due respect I am..."

"Don't speak to me about respect, fix this. Fix this now"

"Shouldn't you be speaking to the Police commissioner about ...

"I said fix this"

The mayor disconnects the phone.

Clinton looks at Kirsty and asks her what she thinks of the recent aborted cases. Specifically Scott's case. She tells him she has two theories on what could have happened. Scott killed a mobster's child so obviously they want to avenge the kid's death. But they know if he went to prison he may buy himself "protection" on the inside. So it was to the Mob's advantage that Scott is set free. And in order for that to happen, get some crooked cops to hide the blood stained denim sleeve. Voila, no probable cause. Scott walks.

Another theory she has is that Donna, Scotts mistress is involved in all this. Clinton is again shocked. "Scott has a mistress?"

"Well yes and no, Pete told me all about it."

Kirsty tells the judge that Scott had been messing around with his boss's mistress Donica Dominiguez. Donna is pregnant and the baby is Scott's. When Mr. Cole found out he

was angry and vowed to kill both Dona and Scott. And he has been telling everyone that Scott is a dead man walking. Mr. Cole knows that if Scott dies in prison then he will be a suspect. So what better way to cover his tracks, than find a way to tamper with the evidence so that his brother in law gets it out here in the streets.

Clinton thinks about these two theories. They make sense but one key component is missing. Some people in the police department must be involved in all this. But who? And what was their motive for not presenting the blood stained sleeve in court.

And what was the Mayor's role in all of this. Why was the mayor piling pressure on him and not on the Police? It seems that they are the rotten apples in all this. Something was not adding up. He instructs Kirsty to use all the means necessary, including her boyfriend, to get to the bottom of this. If in the course of her digging she can find out where Scott is, or if he is still alive, it would be great. Maybe, if he is still breathing, he will be able to shed light on what is really going on.

chapter seven

Conrad Gempf

CLICK *CLICK* ... PHOTOGRAPHS OF a document. Look carefully, you can see the faint shadow of a woman as she is bent over the desk and the open file with documents spread out.

The furtive photographer was holding a miniature “spy” camera, clicking it, cocking it to wind the film, clicking again. She was turning pages and photographing systematically. The file cabinet drawer was still open, the office door was ajar, the lock pick was back in her stylish handbag.

She worked as quickly as she could. She’d arrived at the office early, and the hallways of the state comptroller’s offices were quiet at the moment. It wasn’t the best place to be spying. Only yesterday afternoon, the whole building was foul with police and prosecutors.

But then again, she’d done this so many times before, sometimes in much scarier settings. Temporarily taking employment with whoever Mr. Lawrence told her to, whether mobsters or restaurateurs, government officials or gamblers. And whatever name she had entered on the job application,

whatever the terms of her employment, it always ended just like this: her photographing evidence one day, and then not showing up for work the next. And some days later, confused employers scratching their heads, being told on the phone that “no one by that name lives here” and having to advertise for another employee to replace “the pretty one” that disappeared.

She shook her hair over her shoulder, turned pages and took the photos, practiced and efficient at this, her *real* job. Mr. Lawrence was going to pay her well. He always did.

click ... a photograph of a swamp in northern New Jersey. Look closely, you can see small figures in yellow hard-hats with surveying equipment.

Behind the real estate photographer, Mr. Lawrence was struggling slightly, climbing the damp earth. “Excuse me, I’m supposed to meet Frank? Uh, Frank Cole...?”

The photographer took the camera from his face and gestured by jerking his head, “Boss is over there. The blue suit....”

Lawrence squelched his way over, envelope tucked under his arm.

“Danny!” Cole called, as he caught sight of his lawyer, “Welcome! Hey, what do you think of the place?” he said with a sweeping gesture as if he were surveying a castle and kingdom instead of a huge empty lot.

“Not really my field, Frank,” said Lawrence, wincing at the involuntary pun. Cole just smiled at it, thankfully.

“Going to be one of the most lucrative shopping malls in my portfolio, someday. This place is going to be like an oil derrick spouting suburban hundred dollar bills!” he said. Then he turned and called out to the photographer, “Andre! Get some shots from the other side and that’ll be it!”

He clapped an arm on Lawrence's back, "So, Danny, what was so important you had to tell me today? I reckon it's not going to be good news?"

"No it's not, Frank. My sources are telling me that the investigation is going deeper than we thought." He frowned and pulled some papers out of a manilla envelope. "A *lot* deeper."

"Hmmm," is all that Cole said, flipping through photostats of photographs of documents and memos. "Hmmm."

"It's not clear who it is they've been talking to, but ..."

Cole stopped at a particular page. Lawrence had circled a few things on it in red.

"Yeah," was all Lawrence said when it was clear Cole saw the problem.

"I'm not at all certain we can beat this, Frank. There's a lot of people this could be. If it comes to trial, well, some I could discredit, but some ..." he shook his head slowly, "I mean if it was the Yonkers people..." he shrugged.

"Can we stall it?" Cole asked.

"The investigation's about to wrap up, my people are getting out," Lawrence said, "There's still some stalling time, maybe. But not indefinitely." He thought, "Maybe I could..."

Cole snapped his fingers, pointed at him and cut him off, "Danny, you know what? Don't worry. You've had my back a hundred times. I'll take care of this one."

Despite himself, Lawrence was incredulous, "You? How are *you* going to..."

"Yeah, don't ask, ok? I can do a deal; it's time to call in a favour."

Lawrence just nodded, slid the papers back into the envelope. That would be some favour, he was thinking.

"Listen, you got time for dinner?" asked Cole, "I know," he

chuckled, “You and Jersey, right? But there is this place just before the bridge that you won’t believe.”

They had dinner. They didn’t mention the investigation again.

click a professionally-taken photograph of a party, composed perfectly, at just the right angle to lead your eye from *that* woman in *that* cocktail dress across the sea of less distinct (but obviously wealthy) people and toward the logo of the charity.

“Opportunities” is the word you can read from the blurb on the wall behind the decorations. It turned out that this was *not* the photograph that would be used in the newspaper coverage of the gala, but it came second in the editorial meeting.

Just out of the picture, Cole was moving through this crowd, leading with his wine glass arm outstretched “Excuse me, please. Oh, hi! Good to see you, ’scuse me....”

“Frank, you old so-and-so! How the hell are you?”

George Compton. A bore, but for the time being — and for the sake of the Brooklyn project — had to be tolerated.

“Great, George. Yeah, great! How about you? How are Lucy and the kids?”

Compton was pleased Cole remembered him as a family guy, as a real person. Heck, he was pleased to be remembered at all. “Aw, thanks. We’re all just fine. Looking forward to closing that deal with you in a few weeks’ time.”

Cole feigned shock and whipped out the pen from his pocket, “What?! We’re not signing it tonight? Why is everybody celebrating here then?!”

Compton chuckled and shook his head, convinced that Cole was a fun, good friend. His emotions were telling him,

“This is not the kind of guy that would rip you off,” even if his brain added troublingly, “whatever Henry says.”

They shared a short laugh together. Cole sipped his wine, then said, “Oh, look, there’s Jill! Excuse me a minute, George, I need to catch her and give her a piece of my mind!” He smiled a shareable smile.

“Who’s ...” said Compton, but Cole was gone before the word “..Jill?” and the answer would’ve wiped the camaraderie from his face. There was no Jill — Cole didn’t know a Jill — was just ready to move on. He wasn’t here for meeting and greeting clients. Not tonight.

Near the food tables, now, Cole was nodding to a man looking like a running back in a tux. “Otis,” he said simply.

“Frank.”

“He’s here, yeah?”

“Up near the stage,” said Otis Johnson, “As one might expect,” he added, rolling his eyes just a little.

“Thanks. Have a good one,” Cole saluted with his wine glass and moved on.

Johnson nodded, and kept his eye on Cole as the developer went.

There was a crowd within a crowd, a more tightly-packed group of beautiful women and skeptical men surrounding an unlikely centre of attraction. This guy still “had it;” he might have been middle-aged, might have been shortish, even balding, but somehow, this man’s voice and presence still commanded attention, made it hard not to smile. He was finishing his story,

“...if *that’s* your game, buddy, you need a bagel, not a stapler!” There was laughter all around, till the voice boomed, “Frank! Hey!” with an out-stretched hand for shaking, “I knew we could count on you!”

“Thanks, Eddy. Good to be here. Actually, I was hoping I’d be able to catch you and have a word...”

click a photograph of two men, sharing a moment. Now this *was* the photo that the newspaper would run the next morning. Not the front page, but the first page of a later section, and with the caption, “Mayor Edward T. Broderick and property developer Frank Cole at the ‘Opportunities for All’ charity fund-raiser in Manhattan last night.”

The men in the photograph had their smiling mouths open slightly in friendly conversation. If photographs had sound, you might have heard the first one saying casually, “What can I do for you?” and the second one saying, more carefully, “Well, actually....”

Behind them, in black and white, the charity logo and the word “Opportunities.”

chapter eight

Rodrigo Seisdedos

IT WAS SUPPOSED TO be just another typical day at the office: Danny wearing his old jeans and a t-shirt. He had run out of unpressed shirts for today. That's one of the things he missed from his marriage. Annabeth always made sure there were enough unpressed shirts to wear.

He was sipping an iced tea while comfortably seated at his desk chair.

The phone rung calmly. Customers, no matter how important, were to be handled by the keepers outside his private office. Only his investigators were aware of his extension number, so he knew in advance it was an important call. Still, he took some time to grasp the flavor of his freshly served iced tea.

“Hello”, he picked up and said at last, unexpectedly.

“A little birdie has told me a secret”, said the voice at the other end of the line.

That was a clear sign of trouble.

“Did Mary have a little lamb?”, he replied.

“Indeed, she had”, said the voice.

Danny paled while straightening his seat. This was no joke. These language codes were supposed to indicate a thing to be taken seriously and immediately.

As the voice explained what happened, Danny listened attentively with a poker face while thinking of how to manage the situation.

“There’s this girl”, continued the voice, “a judicial intern to Judge Clinton, who’s been nosing around where she shouldn’t. Well, where she should, actually, but not according to one of our best customers’ interest...”

The news was overwhelming. A number of cases connected to Frank Cole’s organization where being dug and bribes to important officials might surface at any minute now.

“Do you have a name?”, wondered Danny.

“Indeed, I do, and more than that. This Kirsty Anderson is like a girl scout. She makes cookies for Christmas and still believes in Santa. Southern girl, you know... Still too young to have ambition. She just expects a pat in the back from daddy, or from our dearest judge Clinton instead”.

Maybe his investigator was misreading the girl, thought Lawrence.

“You seem to think she won’t be a real problem here, don’t you?”, said Danny. “She’s young, unexperienced... You’re counting she won’t know what’s she’s messing with...”

“Yeah, kinda...” replied the voice.

A flashback came to Danny’s mind with that phrase. No, it was not one of their language codes. He saw himself as a young attorney wanting to bring some justice to the world. He was 37 now, and those days seemed so far away into the past, at NYU. Like it was somebody else’s story...

Professor Crimson’s Ethics class was known to be one of the best on the matter. Students came from other classrooms

just to grasp the concepts from the man himself first hand. That day, as usual, he presented a simple ethical dilemma to his class of young lawyer wannabes:

“Suppose you’re a newly graduated technician just hired to work at a large company. All your fellow coworkers are older people, with lots of experience but little formal training. That’s your edge. You’re coming to make a difference! They expect you to improve the way things get done at the factory!

“A big inauguration day is coming. The whole cast of presidents and vice presidents will be there. A multimillion-dollar machine you know nothing about is going to be jumpstarted for the first time. The press will be there. Your folks might even be able to see you on TV –if they can tell under which helmet you’re standing.

“But unfortunately, something goes wrong. The machine does not start and the champagne cork has to remain in the bottle. Nobody knows what happened. Even the machine manufacturer’s technicians, who attended to assist in case anything like this happened, cluelessly check their instruments with no results.

“You suddenly feel the looks fall upon you. The new hire, the first professionally formed employee in the whole factory history. And you blush, but you know there’s no way out. You have to tackle this yourself and prove your worth.

“You wander around the 2000 square feet yard where the machine is deployed. Even more clueless than the manufacturer’s technicians. You start to sweat. The president and all the VPs are holding their breath. The press is beginning to smell there will be news hit tonight. Cameras begin to follow you, but fortunately, their cords are too short to enter the machine space, so you manage to do it alone. You see everything, but you understand nothing. T you It’s just a

pile of metal pieces assembled in some strange god forgotten way.

“Suddenly you notice a particular gear. It’s stuck. There’s a piece of cardboard blocking its movement. It cannot be so simple; you say to yourself. But you try anyway: you remove the blocking piece of carton. A hiss is heard, and to your surprise, the machine starts to move and gain speed. Some hurrahs come from the authority’s seats. All older employees scream in happiness. The manufacturer’s technicians look troubled watching a young figure that barely shaves daily that emerges from the yard, smiling: it’s you.

“It’s a moment of rejoicing. Everybody applauds your wizardry. Then some VP approaches you and offers you his hand and congratulates you. The champagne cork flies through the air, everybody cheers.

“You ask yourself: Should I say what actually happened or just let them believe I’m a genius?”

“Young Mr. Lawrence”, said professor Crimson, “what would you do in such a case?”

“Well, professor”, replied Danny, “distinguishing right from wrong is key here. I’d certainly do the right thing!”

Most of the class laughed. Danny felt embarrassed.

“Yes, well, kind of”, said professor Crimson. “Thanks, Mr. Lawrence. Let me tell you a story, boys and girls”:

“There was once an important chess tournament to take place. Several renowned figures were to attend, including the great Alexander Alekhine. A young Mexican master was unlucky enough in the raffle to get to be his opponent in the first round. Seeing him overwhelmed and worried about the situation, this brilliant chess grandmaster, Siegbert Tarrasch, wanted to offer the young man some help. He approached him and said to his ear: “do you want to know how to defeat

Alexander Alekhine and beat, moreover, all the matches that follow?”.

“In view of the unequivocal confirmation of the young man, he proposed him to take a walk together, without explaining any details about his attractive offer. During the walk, Tarrasch spoke a bit of this, a bit of that and beyond it, never getting to the point...

“When eager to hear the stunning secret, and after having paid for the beverages and food they had during the long stroll, the young man finally asked Tarrasch to talk about it. Tarrasch resolved the mystery in simple terms: “Oh, it is quite easy, young man. All you have to watch is a very simple rule: do always the best move.”

The whole class laughed again this time.

“Well, ladies and gentlemen”, concluded professor Crimson, “ethics is like a game of chess. It’s not always clear which one is the best move”.

Yes, it was like somebody else’s story. And maybe it was, he was not that person anymore... Justice did not matter to him that much, and right from wrong were easily defined by who paid the musicians.

“Thanks for the information”, said Lawrence focusing of the phone once more. “Please keep me posted”, and then he hung up.

Danny took a moment to clear his mind. He poured another glass of iced tea from the jar. Mr. Cole was to be briefed about the news, but to a certain extent only. Plausible deniability was something that he had to provide to his clients, particularly those who had some skeletons in their closets, like in this case.

Danny took the phone and called Mr. Cole. He kept it simple. No names, no details, no nothing. Just the bare

minimum to make apparent that he had the matter handled.

Mr. Cole listened in silence. And kept silent. He'd rather say nothing before saying something stupid. Never. After a few seconds, he finally spoke:

“Maybe there’s another way we can fix this”, he said.

Lawrence frowned. “What the hell is Cole thinking”, Danny thought. “This is not the modern mafia. Things are not handled by those means anymore. Or shouldn’t be, in any case. Although, who might be able to tell? So many things happen on the street these days...”

“Anyway, Mr. Cole”, said Danny. “If I were you, I would not worry too much. That’s why you hired me. I do the worrying; you do the dancing”.

“Are you positive this won’t explode in my face? Or yours?”, said Cole.

“Blatantly positive”, Lawrence assured. “Even if they were able to prove something happened, which is unlikely, all footprints were carefully cleaned. Absolutely nothing can be used to trace back to you, or me, for that matter.”

“I appreciate that”, continued Cole. “Your fee is well deserved. Good afternoon, Danny”.

“Good afternoon, Mr. Cole”.

After hanging up, a freezing thought went up through Danny’s spine...

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

Oleksandr Baranov AKA Garrett

THE ROOM HAD HIGH windows which gave enough light so that it wasn't necessary to turn the lights on. Frank was standing in front of the mirror and hastily putting on his suit jacket. Some of the buttons seemed reluctant to fit their holes, and Frank fumbled with them swearing under his breath.

Danny was leisurely sitting with a glass of whiskey at the small coffee table. They both were in the backroom of Frank's office. Danny looked up from the newspaper he was holding:

"Hey Frank, have you read it? About the Columbia?"

Frank whirled around and snapped:

"No. What now? Someone from DC's coming here?"

"Haha, no, the Columbia space shuttle. They are going to carry up 30 rats and two thousand jellyfish. Can you imagine? The amount of taxpayers' money going up in flames just to carry a few rodents and jellyfish into orbit. And to think that they are sniffing in your public contracts..."

Frank growled. Danny continued pretending not to notice:

"Maybe, you should've invested in these space programs instead of building schools and whatnot. At least, the schools

stay on the ground while nobody can check what you actually DO with the stuff you send into space. Imagine a scam of those proportions! You could even let the astronauts in for 5%, and they will tell the media their tools are made of gold and platinum and..."

"For shame, Danny. We have a meeting with Otis and the folks he's bringing over soon, and you are reading - what? Last week's Times? That shuttle is already in space with all its monkeys and rats in space suits, and I couldn't care less. Are you going to make yourself presentable?"

"What? I look fine. This shirt is clean and pressed ..." - Danny looks inquisitively himself over - "...well, definitely it was this morning. Anyway, you know Otis. He doesn't care. Neither should you".

"Well, what's the reason to have money if not to use it? You ever thought that might be the reason Annabeth left you? That you simply didn't care?"

"Should we discuss our strategy for the meeting?", Danny tried to change the subject. He knew that Frank could've been easily triggered with this to spiral.

"What strategy? We have paid Ed's way into the Mayor's office. I have backed him both publicly and with my dad's partners - you know who I'm talking about. And Broderick won by a very short margin against that whatshisname prosecutor. He couldn't have done it without our support."

"Yes, yes, but now you are under fire..."

"So what? He should understand that any attack on me is an attack on him - both if I go under criminal investigation and if I spend too much on buying it off..."

"Frank, listen to yourself! You can't make your situation worse by offering a bribe to state officials!"

"Oh, come on. What IS this meeting about then if not

about arranging a sweet deal for some auditors in cheap suits?
Who are they again?"

Danny looked in his notebook:

"Head of Office of State and Local Government Accountability and one of his examiners", he said. "Oh, look here! Her name is Irene McCarthy."

"OK, so...?" Frank hesitated.

"She's Irish. Probably, a protégé of Thompson, the Commish."

"Hell."

"Yeah. Do you think, John G...?"

"Ahem. No, she can't be his. And the Irish mob that runs the NYPD who **COULD BE LISTENING TO US RIGHT NOW** can pass my 'Go to hell' to Thompson and any of his subordinates! Anyway, shouldn't we head into the meeting? I guess they have waited long enough by now."

The office doors flew open, and an athletic black man in his late thirties carrying a cup of coffee held the doors open for his two companions. He was in fact 43 years old but looked younger: his years in service left him fit and strong. It was Otis, the Senior Aide to the incumbent Mayor of New York City.

He was not supposed to be here, in fact, as it was a state matter, since some of the public projects upstate were involved. But he had to try and reach the settlement. The Mayor had plans on running for the House in the future again, and while he managed to overcome the other Democratic candidate for Mayor, he ended up maintaining mostly the same line of attack as his Republican opponent: the New York City was a mess.

The FBI and the DA's office have upended the long and

fruitful story of cooperation between the city's administration and the mob families, and Ed and Otis had high hopes that that story was already finished. But now their term in the Office was marked with an investigation into one of the most prominent sponsors of the campaign! It really put the Mayor (and his team - which was important for Otis who had dreams and ambitions to become the New York's first black Mayor) in a bad light. This situation had to be fixed in a most non-public way. That's why he had arranged this meeting between the Comptroller's office and Frank Cole.

His companions were a balding man in his 50's in a suit which matched Cole's in style and a younger woman in strict business attire. She didn't look older than 30 and carried herself with a forced stiffness which was not able to hide the fact that she was good-looking, to say the least.

The older man jovially and rapidly went to introduce himself to Frank Cole:

"Eugene Walker, at your service. Head of LGA. And you must be Frank Cole, right? Can I call you Frank? You can call me Gene, anyway, nice meeting you."

Frank raised his eyebrows but decided not to change the feel of this meeting:

"Frank it is, then. Nice suit."

"Oh but thank you."

"Whiskey?"

"Sure, with ice. It's not an official meeting, anyway."

"And you, miss...?"

"McCarthy. Irene McCarthy, CPA", she responded curtly.

Danny Lawrence, Cole's lawyer, burst out laughing:

"And you would like a Martini, I guess?"

The joke seemed wasted on her for a moment, but then she slightly smiled and said "Yes, shaken, not stirred".

Danny winked and passed her a glass.

Frank added:

"By the way, that's Daniel Lawrence, my attorney".

Otis added: "I have my cup of coffee, Frank. Don't bother about the drink."

"Nice to meet you all, gentlemen - and lady. Shall we sit?"

They were seated around the table. Otis started carefully:

"The things we are here to discuss are, well, you all know..."

Irene interfered "Let me state it clearly, Otis." She turned to Frank: "Mr. Cole, I do not feel easy talking to you about it before the official charges are presented."

"It's not easy for me to talk about it at all!" Frank responded.

"Of course, who would like to talk about how they doubled and tripled bills, inflated invoices and pocketed the difference!"

"Allegedly!" Danny struck his hand on the table. "Miss BondJamesBond, CPA, as much as you might enjoy this temporary, I insist, temporary power over my client, you are out of your league here! Mr. Walker... Gene, right? Couldn't you find some real auditor to do this job?"

"Oh, I assure you," Eugene said with a smile, "Miss McCarthy is quite efficient."

"Oh really? She should be back in her kitchen serving pancakes to some other mick..."

"Danny, please", Otis placated. "Frank, tell him..."

"Don't start, Otis. It was your job to keep these dogs on the leash. This mess got personal, I see it now." Frank leaned back.

Irene sat with a hint of smile on her face:

"You see, Mr. Cole, there are some "micks" as Mr.

Lawrence puts it, who are very interested in restoring a certain level of power they had... Before your Dad's friends took the city over. Now, they have the FBI to help them. And you... you aren't even the main target here. But you are an important figure enough they sent me. You cannot buy me, as I have other interests in play. And you cannot buy my boss here", Eugene has smiled at these words, "as you can see by his suite, his main source of income is not the state official's salary, either."

Otis stammered "But... but..."

Irene has turned her gaze towards the Mayor's Aide and smiled:

"Thanks for arranging this meeting, Otis. My superiors really wanted Frank, Mr. Cole here, to hear it all from me."

She turned back to Cole:

"The evidence is firm enough, the sheriff's office has already opened a criminal investigation, and the DA will formally charge you in the next few days".

Frank threw his pen against the wall.

"Out!" he cried. "Get out of my office - now! Otis, don't forget your coffee!"

Otis ducked and let the cup hit the wall. Irene didn't even flinch.

"OUT!".

The meeting was obviously at an end.

chapter eleven

Mirela Vasconcelos

FRANK COLE LOWERED HIS voice as he stepped into the lobby of a luxury apartment building in the Upper West Side.

“It was anything but simple,” he seethed, hissing into the Motorola cellphone. “*Simple* would have been a phone call I didn’t have to make. But this,” he gestured vaguely at nothing in particular, “this *runaround* is anything but! I shouldn’t need to go to these lengths for a simple meeting.”

“Mr. Cole,” a doorman bowed slightly, his eyes on the ground as he opened a large glass door with ornate golden trimming.

“Two months!” Cole continued, passing the man without a second thought. He paused briefly as the mid-morning light fell on his eyes before plucking sunglasses from his breast pocket and continuing to the fountain blue Bentley awaiting him at the curb. The driver held the door open for him. “You had two months to get me an appointment with this man, Danny, and yet, I had to arrange for it *myself*.” He shook the thick manilla envelope he carried in his hand for emphasis. “I mean, I’ve been rendered a delivery boy for christ’s sake!” Cole

entered the cool air-conditioned, leather interior and felt an immediate calming effect. The door shut behind him as Cole placed the envelope beside him.

“He was on to me, sir, there was no way Clinton would accept an appointment to meet with you if I was the one to set it up, he needs, and really, we do as well, plausible deniability that this has anything to do with the case. Which is why we needed this plan in the first place. It just took a little while to get all the pieces in pla— ”

“Excuse me? *We*? We needed this plan. I see. There was no *we* when *I* came up with this plan. The only reason I’m on my way to deliver these documents directly from the Judge’s daughter to *daddy’s* hands as an errand boy is because *you* weren’t capable of performing the simplest of tasks. For your *job*, Lawrence. You’re on thin ice. I’ll call you after the meeting.” Cole disconnected the call by snapping the phone shut before placing it in his pocket.

He leaned back with a sigh, “You really can’t get good help,” he mumbled, pulling out his pre-release Palm Pilot to scroll through his itinerary for the day.

Truth be told, Danny had proven to be a valuable asset, loyal and knowledgeable, even if a bit trite, but the Judge was no fool. Yes, Clinton knew how to play the game, a pleased smile crossed Cole’s lips, but he had never played in Cole’s league.

It had been pure happenstance the way things had come together, something he had been used to in his privileged life, but Cole had learned to squeeze every drop from the opportunities that presented themselves to him.

After Danny confirmed his incompetence in securing a meeting with the Judge, Cole began looking at his adversary more in depth. Among many other things, he learned the

Judge's daughter attended Columbia University, and immediately recalled an evening a few weeks back when Frankie had been entertaining a lady friend. It was rare he saw much of his son, much less spent time with the boy and someone he was actively pursuing, but Cole had stumbled into the pair in the kitchen one evening after returning from one of his own jaunts with Donna. His mood was uncharacteristically friendly, and introductions lead to the discovery that Frankie's companion was visiting her cousin who was also studying at Columbia.

From then, it was just a matter of investing in some local scholarships, asserting a clear line of expectations, and a few weeks later, Cole received a call from a teary sounding Jean herself. She'd had a terrible fight with her college roommate and an acquaintance had recommended his number for help in securing a new apartment. At this point in the semester, she had difficulty finding anything of worth close to the university, and was desperate for help. Cole happily stepped into the savior role and assisted her in locating and leasing an apartment he'd been trying to fill for months. After securing her signatures, he offered to meet with her father himself for his signature as her co-signor.

Cole's fingers drummed atop the manila envelope containing the lease documents that served as his ticket to speak with Clinton. He'd learned Kristy, the judicial intern, had been gathering intel against the Judge, which had given him further insight into the man's character. Cole was fairly confident he could persuade the Judge to be supportive of his case. It was clear they both had influence on things the other wanted, it would just be up to Clinton whether he'd play ball.

The car came to a stop outside the Criminal Court building where the Judge's chambers and courtroom were housed. His

door opened shortly after and Cole stepped out, straightening the lapels of his Armani suit and rolling his shoulders back. As he stretched, his waistband tightened uncomfortably, and Cole made a mental note to have the bespoke suit tailored once more.

Once inside, Cole stood patiently until a secretary told him the Judge was ready to see him and lead him into the chambers.

“The Honorable Judge Andrew Clinton,” the young man said in a stiff voice before backing out of the room and closing the door.

Cole flashed his most charming smile and held out his hand, “Your Honor, what an honor,” he paused briefly and chuckled, “Excuse me, I’m not accustomed to meeting Judges.”

“You’d be surprised how often it happens, Mr. Cole,” Clinton smiled agreeably, shaking his hand before directing Cole to sit in a comfortable looking arm chair. “I must thank you again for your help with our Jean. She was quite distressed with finding appropriate housing after the unfortunate altercation with her former roommate.” Clinton sat across from Cole and motioned to two glasses filled with water which had already been placed on the table. “But, I must be honest, what’s troubling me is that I don’t quite understand why a real estate developer such as yourself, would go out of his way like this. I must say, it’s difficult to get face time with our brokers, let alone someone of your stature.”

“I’ll be straight with you, Your Honor, when Jean reached out to me, I didn’t realize I was working with your daughter, but once I learned, I took advantage of the situation to set up this meeting with you to finalize the lease in person. You see, I was formally charged with fraud and you’ll be overseeing my

case later this month and I was hoping—“

“I’m sorry to interrupt you, Mr. Cole, but I’m finally starting to get the picture here. Tell me, you’re counseled by Daniel Lawrence, is that right?”

Cole cleared his throat and unclenched his teeth, mocking a sheepish smile, “Yes, sir, that’s right.”

Clinton nodded, a friendly smile on his lips still visible, but his eyes were trained fiercely on Cole. “What a fortuitous thing then, that we would be brought together like this, especially when we were having so much difficulty finding time to schedule with Mr. Lawrence. Some might even call this a fated encounter, Mr. Cole.”

“Indeed,” Cole replied, certain now that he had severely underestimated the man before him. He reached for the glass of water and took a sip to break the awkward silence and collect his confidence. He cleared his throat before beginning again, “I don’t participate in duplicity or chicanery, Your Honor, just the implication that I am insinuated with such things is causing distress not just to my family but my business. I’d like your help in clearing my name. I see you’re an intelligent man, you seize opportunities as I do, and it just so happens circumstance has brought us to a situation in which we can both help each other. ”

“I see... and are you claiming that since you helped my daughter you’re now owed something by me for some reason? Seeking your just dessert and all that?”

“Not at all! I was more than happy to help your daughter, and she’s getting a great deal on this apartment considering the size, proximity to the campus, and view, not to mention the price, but I’m losing track of myself here. The point is, helping your daughter was a pleasure, especially since it allowed for us to meet like this.”

“Hm, alright Mr. Cole. I’m willing to listen to what you have to say. I can imagine the help you would like from me, but what help is it that you think you can provide me?”

“Well, Your Honor, I know your judicial term will expire in a few months and from what I understand, things don’t look too positive on the reappointment front. You may not know this, but I’m one of the Mayor’s valued contributors, and I’m more than prepared to persuade Broderick to see that a fair and impartial judge such as yourself should maintain his seat in our courts. If you offer a fair and impartial judgement on my case later this month, I have no doubts the Mayor will have little difficulty seeing things from my perspective.”

There was silence for a moment, in which Cole thought he’d won and could breathe a sigh of relief, rid himself of the stress these charges had wrecked on him in the past months. Donna said she would be shopping not too far from here today, perhaps there was enough time before his next appointment to rendezvous.

There was a knock at the door and the judicial intern’s head popped in from outside, “Excuse the interruption, Your Honor, but we need to prepare you for the next hearing in fifteen minutes.”

Clinton raised his hand in acknowledgement and the young woman closed the door once more.

Another brief moment of silence. Cole took another sip of water, wondering if the cellphone got reception outside the chambers.

“How dare you, Mr. Cole?” The question jarred him back to the present moment, and the easygoing smile dropped instantly from his face. “You are insinuating dangerous things. Things that can be used to increase any sentences you may be charged with. As the judge presiding over your case, we are

barred from speaking about this any further. I ask that you kindly leave my chambers so I may continue doing my duty to the people of New York. I'll finalize the lease documents and have a courier deliver them back to you, as is normally done." Clinton stood and headed toward the door, ushering Cole out. "Oh," he added as an afterthought, "and thank you, again, for your help with Jean."

The edge of Cole's lip raised in disgust at the man, at the lack of respect. He stood, straightening his blazer and rolling his shoulders. His voice was ice cold as he passed the Judge, "You should recuse yourself from this trial, if you can't be impartial, *Your Honor*," he said. "Think about it and get back to me."

Cole continued through the chamber doors without looking back at the Judge, intern, or secretary. Once he reached the cool confines of his Bentley, he called Danny back as promised.

"It's a no-go, Danny-boy. You really screwed the pooch on this one. Clinton won't play ball. That intern walked in just when I thought I had him. Might've spooked him if he's got any idea of what she's compiling. Point is, you've got your work cut out for you, better call in reinforcements and get me a brief of your plan to fix this mess *yesterday*." Cole disconnected the call and sighed, leaning his head against the headrest. Maybe he would pick up some sushi before heading to Donna's.

chapter twelve

Sey M.

IN DANNY LAWRENCE'S EYES, the New York Supreme Courtroom wasn't a warm place to be in autumn, or any other season for that matter.

He sat in his seat at the counsel table, staring at the dark brown wood panels lining the walls of the courtroom. He glanced at his watch, then back at the walls. The judge hadn't arrived. His dark grey suit was ill-fitting, and he knew it. He fidgeted every so often, trying to get it to mesh to him to no avail. Next to him sat Frank Cole, his boss and now client. They had been in courtrooms before, where it was always Frank suing someone. He was always the hunter. But, it had never been like this, where Frank was the hunted. The two men found it awkward.

Frank was in his civilian suit despite coming from jail. He was already showing signs of neglect; a rough stubble, ruffled hair and bloodshot eyes. He leaned in his seat, studying his lawyer.

"You know I missed my coffee today?" Frank mumbled.

"Sorry?" a confused Danny asked.

“I said I missed my coffee today.”

A wide-eyed Danny turned towards Frank.

“You mean in an affectionate way?” he asked.

Frank scowled.

“Why would I sexualize coffee?” he asked in the slow drawl he always had when trying to control his temper. Danny knew it too well. He didn’t want to stoke it.

“I didn’t mean it in a rude way. I just didn’t understand-“

“Nah. In your mind, you can sexualize coffee. Not in mine. I just wanted my caramel coffee,” Frank replied, folding his arms across his chest.

“Got it,” Danny replied.

“I’m not sure you have. You don’t exactly inspire confidence with that look,” Frank said.

Danny straightened his jacket once more.

“I’ve won you enough cases in this suit to disprove your statement. So it must be your nerves talking. You should get a grip of yourself,” Danny replied.

Frank grunted and twisted his mouth. He was goading Danny to remind him who’s boss. He also knew Danny wasn’t fazed.

In front of them stood the bailiff at attention, waiting. Next to the witness stand was the court reporter, her stenotype machine at the ready. In front of the judge’s empty bench was the court clerk who kept scanning the room. Near the prisoner access door stood the police officer who brought in Frank from the gallows. Behind the bar, in the rear benches of the courtroom where the laymen sat, were several other people. Among them was Edward Broderick, the mayor of New York, flanked by his senior aide Otis Johnson. Behind them sat Frank Albert Cole III, a shifty character who was trying to maintain a low profile. But he had already been

spotted by Joseph Thompson, the police commissioner. Thompson was intrigued by these proceedings for two main reasons: he wanted to get Frank behind bars as well as protect his political interests at the same time. This wasn't going to be straightforward, but he knew his presence made a difference.

Just then, the door of the courtroom's public entrance flew open.

Angella Bennet, briefcase swinging in hand, strode confidently down the centre aisle towards the front. The smartly dressed State Prosecutor sighed in relief to find the judge hadn't arrived yet.

"Good morning gentlemen," she said to Danny and Frank as she laid her case files on the adjacent counsel table.

"You look charming," Danny remarked.

"It wasn't for you," Angella replied, cocking her head slightly.

"The judge is running late. We might as well enjoy a light moment together," Danny countered, keen to ruffle her.

"I admire your confidence considering the seriousness of the case."

"If I can't cry over the matter, I might as well jest."

She forced a smile and waved him off.

Judge Andrew Clinton was making the final adjustments to his gown when there was a knock on the door.

"Come in," he bellowed.

The large oak door to the judge's chambers opened a crack.

"Are you decent, Judge?"

"Why on earth would I tell you to come in if I wasn't, Kirsty?"

The door opened fully and Kirsty walked in.

"Sorry to interrupt you Judge Clinton, but you're running

late now,” she said.

“I was already late when I got caught in that silly New York traffic. What’s going to be later than now?”

“I’m just reminding you like you told me to,” she replied, he eyes shifting to the floor.

“Well, you need to relax. It’s just a pre-trial hearing.”

He looked into the mirror he had installed on one wall. He made some more adjustments to his collar. He puffed his chest and licked his lips. He was ready. He picked up his notebook from his desk and passed it to her.

“Alright, let’s see what these dumbos have to say.”

“Remember, I’m doing all the talking. Okay?” Danny said to Frank.

Frank shrugged, distracted by the seated Judge Clinton. He thought he wouldn’t have any feeling when he saw him again, but now realized he had deceived himself. He had resentment. Plenty of it.

“May the accused rise,” Judge Clinton instructed.

Danny shot up, adjusting his suit. Frank followed reluctantly.

The judge cleared his throat and began.

“The defendant, Mr. Frank Albert Cole the third, is here today to face the felony charge of fraud for impropriety in bidding for public sector contracts between the years 1986 and 1991. How does your client plead?”

“Not guilty your honour,” Danny answered.

“Alright. I’ll allow the prosecution to give their initial remarks,” the judge said.

Angella stood up straight and bold.

“Your honour, the State of New York has been at the forefront of making the lives of its citizens better. This is a

huge challenge for a growing city of over seven million people. So it's a pity that devious men like Mr. Cole here sought to defraud the state government. We hope for a speedy trial so that he can get the justice he deserves. Thank you your honour," she said passionately.

"Thank you counsel. Does the defense have remarks to give?" Judge Clinton asked.

Danny shot up, his suit again betraying him.

"Yes your honour, thanks. This a witch-hunt by the State of New York against my client. Witch-hunts ended in the seventeenth century, we need not revive them again through these baseless charges. We have a strong body of evidence to clear my client. However, your honor, I'd like to raise a petition."

"To what purpose?" Judge Clinton asked.

"In light of new evidence that's emerged that may jeopardize the standing of the court."

Angella was up in a flash.

"Objection! This evidence hasn't been disclosed to the prosecution your honour," Angella protested.

"What new evidence is this?" the judge asked.

Danny took the two files in his hand and handed one to Angella. He then strode to the front and gave the second one to the judge.

Judge Clinton read the text, his face gradually forming a frown. Angella was livid, tapping her heels lightly on the floor as she flipped through the pages. By the time the judge lifted his head, she was ready.

"Your honour, the prosecution would like to object to this evidence. It's can't be submitted as it wasn't part of discovery," Angella said.

"It's a crucial piece of evidence that can jeopardize the

whole trial!” Danny countered.

“What are trying to do, counsel?” the judge asked sternly.

“Your honour, I’m requesting for a different judge on the grounds that you, with all due respect, have a bone to pick with my client,” Danny boldly asserted.

Judge Clinton clenched his jaw.

“Objection your honor! Lack of foundation. As far as I can see here, the accused is the only witness. We all know he’s not trustworthy,” Angella said.

“Overruled. Counsel, you’ll need to prove to the court that he’s untrustworthy first,” the judge replied.

He turned his gaze to Danny.

“Counsel for the defence, do you realize the gravity of what you’ve presented in my courtroom?” he asked.

“Yes, your honour, I do. I make the petition on the grounds of that you, Judge Andrew Clinton, had a prior relationship with my client, Mr. Cole. The evidence shows that you both had a recent meeting that was to discuss a public event for the Mayor. However, when my client didn’t tow your line, the interaction generated animosity. I’m not sure my client’s rights to a fair trial will be protected. Therefore I ask that you recuse yourself” Danny explained.

Angela wasn’t backing down.

“Objection! Incomplete. He’s only basing his petition on his client’s hearsay!” Angella said.

“We will bring in a new witness list to—“

“Objection your honour! The court shouldn’t allow this wanton impunity by the defense to continue,” Angella exclaimed.

Judge Clinton banged his gavel twice, which silenced them.

“There shall be silence and order in my courtroom if both of you want to spend the night in your beds. Is that clear?”

Both lawyers nodded in agreement.

“Good. Now, this piece of evidence challenges my involvement in this case. Counsel for the prosecution, what do you have to say to that? Keep it short and civil please.”

“We as the prosecution are happy to keep you in this case. We only wonder why the defense is bringing this to the court’s attention at this time? Blindsiding is not how we practice law in New York,” Angella said with conviction.

“I tend to agree with you counsel. We have a way of doing things here, and I’m not amused,” Judge Clinton drawled, his piercing gaze trained on Danny.

“We just came across this new evidence late last night. There wasn’t going to be an opportunity to show it to the prosecution,” Danny said.

“That’s a load of hogwash!” Angella snapped.

“Language, counsel,” Judge Clinton warned.

“Pardon me, your honour. However, I was here before the trial started and-“

“You walked in two minutes before the judge. That’s not exactly sufficient time to share new evidence,” Danny posed.

A red flush went to Angella’s face.

“Your honor, it is our position that this court shouldn’t pander to lies and conjecture, let alone the unprocedural nature of the defense’s request. I urge you to strike down their request.”

Judge Clinton grunted, staring at the document in front of him. He then looked up and locked eyes with Danny.

“You know, as I drove down here this morning, I saw someone run a stoplight. I was tempted to give chase, but it wasn’t going to add any value to my day. I’ll simply wait for the police to catch him, then if he’s a serious criminal I might meet him in one of my courtrooms. I maintained my course.

Staying the course is important to me. It's a principle I've upheld my whole career," Judge Clinton said.

"That's not what you said at the buffet dinner," Frank rambled in irritation. Danny shot him a dirty look.

Judge Clinton grabbed his gavel, and pointed menacingly at Frank.

"Say one more word my friend, and I'll hold you in contempt of court!" Judge Clinton snapped.

Frank was about to mouth something when Danny cut him off.

"I told you to let me do all the talking! Do you want to beat this or not?" Danny asked, glaring at his boss.

Frank bit his lower lip, then leaned back in his chair. Danny composed himself then turned to face the judge.

"Sorry for that, your honour. It won't happen again."

"It better not. It won't help your case, and neither did your late petition. You came in a little too late for this to be a consideration. Federal Rule of Evidence 403 allows me to exclude evidence if its probative value is substantially outweighed by the danger of unfair prejudice. Thus, your petition has been denied. Bail for your client is set at one million dollars. I'll be seeing you again on Monday the thirtieth of September."

"All rise!" the bailiff shouted.

Everyone present stood up, including a reluctant Danny. Judge Clinton rose and disappeared through the judge's access. Angella picked up her packed briefcase and walked up to Danny and Frank.

"Sorry you lost again, Danny. Next time don't try to surprise me. I'll stomp you harder than today. You don't want that, do you?" she said. Danny made his best effort at a poker face. He could feel Frank's intense breath on the back of his

neck.

Angella marched out. Danny straightened his jacket, which felt like a limp mass on his body.

“This guy wants to keep you behind bars at all costs,” Danny said.

“Don’t sweat it. I’ll settle the bail. Tell Rosie to set it up,” Frank said, his eyes glazed over.

Danny gave his client a puzzled look.

“Frankie, paying all this cash will only draw more attention to your assets.”

Frank smirked.

“What’s life without a little risk, huh? You’ve got to play the game,” Frank whispered, lowering his pitch as the police officer approached.

“Again, it’s not a game,” Danny insisted.

“Yeah, I hear you. That’s why it’s a good thing if I fight it from outside,” Frank replied as the orderly cuffed him.

“What’s that supposed to mean?” Danny asked with raised eyebrows.

Frank gave him a coy smile and a wink. He then sauntered off toward the prisoners’ access door as if the police officer leading was his minion.

chapter thirteen

Joan Grey

OTIS STEPPED OUT OF the cab into the bustling crowd and read the engraved inscription on the marble wall of the court building.

EQUAL JUSTICE FOR ALL MEN OF WHATEVER
STATE OR PERSUASION

Fine words. They're a damned lie, though. Justice isn't equal, no matter how many times they say it is.

He walked into the building, sighing in relief as he left the sticky heat of the day outside. August in New York was a terrible time to be away from air conditioning. It wasn't as hot as he'd ever felt, but damn, the humidity was a killer. At least there wasn't a garbage strike on.

He enjoyed listening to the sounds of his fellow New Yorkers as they went about their lives, everyone talking loudly to their companions as they walked around the large lobby.

The elevator ride was a study in changing circumstances. Otis stood in the back of the elevator and watched as people,

many of whom looked like their best outfits were simply the ones which were currently clean, surged on and off the the first few floors, which held courtrooms for hearing traffic cases and other low-level stuff. When the elevator slid above the seventh floor, the only people remaining were well-dressed, aggressive-looking lawyers. He was the only one getting off on his floor.

It didn't take him long to find the office he wanted. The outer office was bland, with institutional beige walls mostly covered by wooden bookshelves and a grey carpet that looked as if it hadn't been replaced in decades.

Otis pushed through the inner door to Judge Andrew Clinton's office, ignoring the annoyed sound in the judge's secretary's voice.

"Andy, good to see you," Otis said calmly. He nodded at the judge's intern. This year it was a skinny white woman. He was sure she was bright—no one got to the level of clerking for someone like Clinton without being plenty bright—but he didn't want to have to include her in this conversation. "There's something we need to discuss." He stepped to the side and held the door open.

Judge Clinton eyed him, then turned to the clerk. "Kirsty, go ahead and see what you can dig up on the Howberg case. I'll want files on my desk by eight tonight." He and Otis waited in silence until Kirsty shut the door behind herself.

Otis dropped into the seat across the desk from Clinton without waiting for an invitation and crossed his legs, propping his right ankle on his left knee, making sure to take up as much room as possible. The inner office was nicer; the walls were paneled in real wood and the bookshelves were much better quality. They might be made of actual oak and not pressboard with cheap veneer glued on. Clinton's desk was

heavy-looking, with ornate carving decorating the corners and broad feet.

Otis looked around the office, letting his gaze linger on the pictures of the judge's family and his diplomas on the wall. Finally, his eyes settled on the judge, who probably thought of himself as athletic and fit, but who, to Otis' eyes, looked like he could use more time in a gym and less on his ass behind a desk. *Although, I could use the same thing. Let's see how long he lets this silence sit.*

Nearly a full two minutes later, the judge sighed and rubbed his eyes with the fingers and thumb of his right hand. "What do you want to talk about, Johnson? I'm a busy man."

Otis nodded. "I hear your daughter's in Columbia. Good school. How long does she have to go?"

Clinton pursed his lips, but he couldn't keep the pleasure from his face. "She's heading into her junior year. Her mother's very proud, we both are."

"You should be. Columbia's tough to get into. Expensive, as well." Otis paused, letting the silence return. When Clinton shifted in his seat and shoved at one of the files on his desk, Otis cleared his throat.

"Ed and I have been following the Cole case," he said. There wasn't any reason not to get right to the point.

"The Cole case." Clinton's voice was flat. He raised his eyebrows, but his expression didn't change.

"It's got pretty wide implications," Otis said. He leaned back in the chair. It wasn't comfortable and he wondered if the judge cared. *Probably prefers it that way. If these chairs aren't comfortable, people don't hang around and complain.*

"Why are you and the mayor interested?" Clinton hadn't shifted in his chair, but Otis thought he looked tense.

"The mayor is aware of the various contracts involved. It's

in the best interests of the city for the case to be seen to be fairly prosecuted.” Otis refrained from saying that he knew exactly how Clinton had ruled on every one of his last cases, and that he’d been carefully chosen by the prosecution to be the judge for this case. “If those contracts have to be renegotiated, the city stands to lose a lot of money.”

Clinton looked down at the paper his desk was drowning under. He looked thoughtful. “If the mayor thinks there’s—”

“I’m not saying that Ed thinks there’s anything,” Otis said. “We’re taking an unofficial interest in the case.” He smiled broadly, making sure to show his teeth. He remembered reading somewhere that primates smiled as a threat display.

The judge didn’t quite look threatened, but he didn’t look pleased, either. “Unofficial. Sure.” He leaned forward. “Look, Johnson, I know that the mayor’s good buddies with Cole, but you can’t come in here and threaten me over this.”

Otis made a point of looking shocked. “Threatening you? Of course Ed wouldn’t want to threaten you. He just wanted to let you know, one man to another, that this is an important case and it has to be treated carefully.” He shifted legs, so that for one moment, he looked like he could surge up out of the chair.

“Cole’s been good to us, and to the city and we’d like to keep that relationship a pleasant one.” Otis let his hands relax on his thighs. “There are a lot of projects, projects important to the city’s continued growth, that’ll be held up if, well.” Otis sat forward. “I know you’re coming up for reappointment in January. That’s not so far away.”

Clinton’s eyes narrowed.

“So, Ed and I just wanted to make sure you understood the importance of Cole’s trial. It has to be entirely clean and fair. He’s a good man, Cole, and we need him to continue to work

with us.”

“We do?” The judge leaned back; he looked stiff and uncomfortable.

Otis tipped his head in a short nod, then slapped his thighs and stood up. “Well, it’s been an interesting conversation, but I’ve got to get over to the mayor’s office. There’s some budgetary stuff we’re looking into and I can’t be away for long.” He leaned over the desk and extended his hand. “I appreciate you taking the time from your busy schedule to accommodate this meeting.”

Clinton shook his hand, his expression still sour. “Anything you say. Tell the mayor I asked after his health.”

Otis smirked. “I’ll do that. I hope your family’s doing well.”

In the outer office, Clinton’s aide and his secretary both gave him a hard stare as he let himself out. He grinned in the corridor, shoved his hands into his pockets and strolled along to the stairs. He didn’t feel like waiting for the elevator and wanted the solitude the stairs would give him to think over Clinton’s responses. He hadn’t said much, but his body language had been interesting.

He wasn’t sure if Clinton would take his point. He hadn’t wanted to be direct—it wasn’t a situation where directness was warranted—but Otis thought Clinton would be willing to do what was necessary.

Outside, back in the sweltering heat, he raised his hand to flag a taxi, and thought about what else the mayor would need him to get done that day.

chapter fourteen

Dawn Oshima

FINALLY THE DAY OF Frank Cole's trial arrived. Angela managed to fall asleep after perusing her opening statement only to wake up with a massive headache. At first it lurked just out of eye sight as the morning light streamed through sheer curtains into the Bennett's master bedroom, but when Tom groggily rolled over to sit on his side of the bed the beast suddenly roared into being and sank its razor sharp teeth into her skull.

"Tom, you big beast!"

Tom turned to see his wife clutching her head as her legs swam under the sheets and he sighed. "I told you to turn in early, didn't I? You know how your first day goes..."

"Enough with the lecture, just get me some Tylenol... please? This is one bitch of a headache."

He shook his head but did as he was told, returning with the little red plastic bottle and a glass of water. Angela reached for the Tylenol but he stepped back with a wan smile. "Nope, not gonna let you poison yourself over a little bitty headache. You only get 2 tablets not the whole bottle..."

“I swear, Tom, I will...”

“Now, now. Here you go, your highness, but you better make it quick or you’re going to be late for that very important date.” Tom motioned to the clock and she gasped at the time. Angela stumbled her way to the bathroom, headache momentarily forgotten, as her smiling husband pulled on his favorite sweatpants and retrieved his car keys from the cat dish.

To her surprise Angela’s headache actually subsided to a dull throb by the time the car pulled up to the massive Criminal Court building. Traffic was not as bad as she feared so they made it to the courthouse with lots of time to spare. As she was about to get out of the car Tom put his hand on her shoulder. “Honey, are you sure you’re all right? I can get you something...”

She patted his hand with a decisive tap-tap. “Motion denied. Besides, today’s pretty easy-peasy.. Jury selection will probably take the whole day and then if I’m lucky we’ll have the whole weekend before I have to give my opening statement.”

“You’ve always been lucky. Tell you what. If I get off work early I’ll pick up some take-out and we can have a nice quiet dinner at home with the cat.”

Angela laughed as she got out and closed the car door. “Always the romantic. Okay, I’ll see you at home.” She waved to him as he drove away and then she slowly climbed the stairs, surreptitiously checking herself in the reflection before entering the building.

Inside, there weren’t many people around. Two guards were discussing a fight they saw downtown that ended with a car chase while a couple of elementary school kids were

chasing each other down the halls, ignoring their harried mother yelling at them to behave themselves. Just another normal day at court.

Angela stopped by the ground floor coffee shop and got her usual large black coffee as well as an apple danish before taking the elevator to the District Attorney's office to check her messages. None of the lawyers were in yet or, more likely, they were already in court. Demerit for me, she thought to herself as she munched on her danish, but what else was new? She walked to her desk and flipped through the messages left in her inbox until she got to the last one. As she read the short message she dropped her briefcase on her chair and picked up the phone receiver, punching in the phone number as she muttered under her breath.

“Hello? That you, Angie?”

“Yeah, it's me. Good news, I hope”

“Well...”

Winchester's voice sounded strained and Angela winced. It didn't sound like good news at all.

“Go on.”

“Angie, I'm sorry but I couldn't get my hands on those documents you wanted.”

“But I need those, Brad. They're the linchpin of my case. Without those documents I can't prove a thing and Cole goes off scot-free.”

“I know, I know. Look, can you stall a little? Maybe with a little more time I can...”

“Time is the one thing...okay, okay. Tell you what. Jury selection's today so best case scenario voir dire will eat up some time plus it's Friday so if we go over time the judge will have to call a recess and reconvene on Monday...will that be enough time to get those documents?”

“Well, I can’t promise but I’ll do my best.”

But time was not on Angela’s side. Judge Clinton kept the proceedings moving forward until all 12 members of the jury as well as the alternates were sitting in the box by mid morning after which he called an early recess for lunch. Angela spent most of the break on the phone trying to get in touch with Winchester with no luck. To top it off, her headache was back and she rubbed her temples with an unhappy sigh. Of all days to get a headache, she thought as she sat down at the prosecutor’s table and briefly closed her eyes.

She didn’t hear the judge call her name until the bailiff gently shook her shoulders and she opened her eyes.

“Ms. Bennett, are you all right?”

“Ah yes, your Honor, I just have a headache that won’t go away but I took some Tylenol earlier and I’m good to go.”

“Are you certain you’re all right?”

“Yes, your Honor, I am.”

“Then let’s proceed. Are you ready with your opening statement?”

“Yes, your Honor.”

“Proceed.”

Angela wasn’t sure how she managed to get through her opening statement, she later told her husband, but she had practiced it so much that she figured it was muscle memory that got her through. She barely remembered any of Lawrence’s statement as she spent much of her time dealing with the pain of her raging headache while putting up an interested front for the judge and jury. After the judge declared a recess and ordered the court to reconvene on Monday she gathered her papers into her briefcase, ordered a cab home, and collapsed into bed. She hoped that the weekend would

prove more fruitful before she drifted off to sleep.

chapter fifteen

Ian Philpot

VISIONS OF SLEEP FADED. The reality that had been tangible and full of sensation was now nothing more than a fading memory. She woke up feeling flushed and the tips of her fingers was still tingling. As her eyes slowly opened, she winced at the daylight that poured through the window. The space next to her in bed was vacant — Tom must have gone for a weekend run in the park.

Angela Bennett put on her robe, shuffled her feet to the kitchen, and slowly made herself a bowl of oatmeal. She then poured herself a cup of coffee from the pot that Tom had put on before he left. She sat at the dining room table and picked up the book next to where she normally sat. It was a science fiction book — something she normally would not have read, but it was a special request Tom made of her. He was very much into space and the future and possibilities beyond human capacity, and that made Angela wonder if he was somehow getting more from life than her because he could imagine life beyond what was.

Midway through the oatmeal, Angela found her mind

drifting, following the sounds of the city that came in through the walls of her apartment. There were conversations from neighbors, cars, and traffic and horns the street, and somehow, through it all, there were other noises of nature seeping in. Whether it was birds, or somehow the rustling of trees in the wind from a distance, it made its way into her apartment and made her wonder whether it all was real and all had consequence.

The knock at her apartment door came to her surprise. It could have been one of the neighbors, but none of the neighbors would knock that hard. She walked over to the door and peered through the peephole. On the other side, she saw a tall man, at least tall enough that he was at the top of the fisheye glass she peered through. He was dressed in a nice suit that was slightly loose and double-breasted, very modern. She did not recognize him, nor did she understand how he could've gotten into the building without being buzzed in. Sometimes this was the work of salesmen, but this man was coming to her apartment on the weekend, and he did not look to be wearing a cheap suit like a salesman would be. The man waved. Angela stepped back, shocked at his sanguine aggression.

She straightened her robe and opened the door.

“Hello, Mrs. Bennett,” the man said with a smile. Angela had seen that kind of smile before — it was a knowing, discomfoting smile. In her experience, it had been worn by homicidal psychopaths who had done something bad but did not feel bad for it.

“Can I help you?” Angela said, squaring her shoulders up and straightening her back. It was her normal courtroom posture, though she preferred not to have to hold that posture through the weekends.

“Yes, *Mrs. Bennett.*” The man changed his posture so his arms were in front of him and he held one wrist in his hand in front of his waist. “You see, *Mrs. Bennett,* I am an associate of Frank Cole and—”

“I’m not allowed to talk about a case that’s currently at trial,” Angela said cutting him off.

“Oh my,” the man said moving on of his hands to his chest. “I don’t mean to discuss the DA’s maligned case against Frank and how he’s done nothing outside the boundaries of the legal system. You are absolutely correct, it would be inappropriate for you and me to discuss his rightful innocence while his case is ‘currently at trial.’”

Angela furrowed her brow. Her lips tightened. “Then what do you want? Mister...?”

“I came across some information that I think might help you in your case.”

Angela folded her arms in front of her. “And what might that be?”

“Something that I think is going to really change things for you.” He reached into his breast pocket and pulled out a manila envelope. “In this envelope, are some very interesting pictures of you and a colleague of yours.”

“I’m sorry?” Angela’s face grew warm, but she learned early in her law school days hide her face from getting flushed. What she could not control with her increased heart rate, but he didn’t know about that.

“You know, someone approached me with some interesting information. It’s about you and one of your coworkers. I think you know what I’m talking about.”

“I am certain I have no idea.”

He bent the two small metal pieces at the top of the envelope and slipped up the top. He then slowly pulled out

one of the pictures and turned it so Angela could see a woman that looked just like her exiting the passenger side of a white Chrysler LeBaron. That was not her car.

“I believe this is you”, he said. “And I believe the following pictures are you entering the Beekman Hotel for an indeterminate number of hours. I believe this was one of the nights you were supposed to be at work late working on the case. And I believe that your effort on the case is of interest to my associate, Frank Cole. That is how I was able to come into possession of these photographs.”

Angela knew better than to acknowledge the photos. Even with a small piece of evidence, no matter how true, she knew she could talk her way out of it.

“That may not be me in those photos,” Angela said. “And if it were, you have no evidence that I didn’t spend that time at the hotel in a work-related meeting. And you have no evidence that would hold up anywhere to prove that anything happened between me and anyone else.”

“Oh, no? But your associate, Mr. Maguire, would probably differ.”

“Whatever you think you know, you don’t,” Angela said sternly. “Maguire doesn’t matter.”

The man tucked the photograph back into the folder and replaced it in his breast pocket. “I believe I have everything I need for the person to whom it matters most.” At that very moment, the elevator made a dinging noise down the hall and the man pointed his finger in the air. “I believe the person to whom this matters most is arriving right now.”

Shocked, Angela bit her lower lip. She quickly released it, but it happened out of nervousness that was greater than she expected. “What do you want from me?” she asked.

“Drop everything. Drop the case. Drop monitoring Frank

Cole. Drop at all.”

“This is blackmail,” Angela said.

The elevator doors opened, and Tom stepped out. Angela gave him a smile, but he could tell that something was off with a suited man talking to her at that moment. He walked over quickly.

“What’s going on?” Tom asked.

Before Angela could reply, the man answered. “We’re just talking about the case.”

“All good things I hope?”

“Yes,” the man answered. “All good things.”

“Honey?” Tom asked. He was looking for confirmation.

“Yes.” She leaned toward him to give a gentle kiss. As she separated from him, she could feel his sweat on her lips, and she remembered a part of that faded memory of a dream. She smiled. “All good.”

“Have a good day, *Mrs.* Bennett,” the man said as he turned to leave. Angela turned back inside, but Tom lingered a moment to watch him go.

Angela went back to her oatmeal to get some food in her disturbed stomach — and also to avoid any direct questions Tom might have.

Tom closed the door and started doing stretches.

“What was so important that it came up on a weekend morning?” he asked.

Angela took a sip of her coffee to allow her a few more seconds to iron out her answer.

“He was an eye witness for something to do with the case.”

“What did he see?”

She took another long sip. “I’m not sure, but he says he has proof that he wants to make public.”

“That can only be good for you, right?” Tom asked still

stretching.

“I’m not sure that this is going to end the way I want it to.”

Tom walked toward Angela. She was feeling pressured. Her face was starting to get warm, and she wasn’t sure she could keep controlling it.

“Did you get to the part at the hotel with the LeBaron?”

Shocked, Angela turned to look directly at Tom’s eyes as she bit her lip. She froze.

“The Baron?” Tom pointed to the science fiction book next to her. “It’s a pivotal scene.”

Angela released her lip as she realized she must have misheard Tom.

“No. Not yet.”

Tom walked away. “You need to tell me when you get there. It’s life-changing.”

“I will.”

Angela’s gut clenched as she watched Tom walk away. When she heard him turn on the shower, she gave a deep sigh and rested her head on the cover of the book.

chapter sixteen

Dan Hallberg

IT WAS A HELL of a morning to be out of coffee. Tom had used the last remnants of their sole can of Maxwell House yesterday morning to make a disappointing pot of weak coffee. Angela chastised Tom for even trying to make a full pot, when if he had just made 2 cups it would have been strong enough to actually get them going in the morning. As it was, the amber, impotent liquid only managed to wake her up just enough for her to make a lethargic trek to the office. Once there, she was mercifully awoken by an obsidian colored lifeblood that was the viscosity of engine oil from 18 wheeler.

Angela had promised Tom she would get more coffee on the way home after opening arguments, but her mind definitely wasn't in the errand space at that time. So this morning she did not even have the flaccid bean tea of yesterday, which meant that she had to face the reporters outside the courthouse with no caffeine and little sleep.

"Were you happy with how things went yesterday?"

"Are you concerned about your case?"

"Is jail time a must?"

“Are you concerned this will-”

The questions came at her too fast to effectively answer them even if Angela wanted to; which she didn't.

“Excuse me, I have a long day ahead, I'm just wanting to get to work,” Angela said curtly as she parted the sea of reporters with almost a shoulder check. Even that did not keep them from shouting questions at her back. After checking in with security, Angela was single minded in her task. She knew the clerks' office one floor up from her courtroom kept a pot of coffee going all day.

Unfortunately for her, the clerk at the reception counter today was one Angela had called an idiot about 4 years prior. At the time, Angela could not remember if she had timely filed a motion that she was about to go into a hearing to argue, and the clerk went and fetched the wrong file a full 3 times. Since the exchange, the clerk has made Angela's life difficult whenever they have to interact, and thus Angela has sent her paralegal to handle most filings at that counter.

“My paralegal!” Angela thought. She ducked into one of the private conference rooms and rummaged in her bag for her cell phone. There were too many exhibits to produce to counsel and to the judge for Angela to carry in herself to the hearing, so her paralegal Samantha was going to be wheeling them in that morning. Hopefully she would also have a thermos.

Angela flipped open her Motorola and started to dial, only to find that the phone was unresponsive. After a couple of years of rather extensive use, the 30 minute battery charge was getting closer to 10, and she had forgotten to plug the damn thing in the night before. It was no matter really, by the time she slinked back down to her table in the courtroom, Angela saw that Sam was already in the building and setting everything

up.

“Hey boss,” Sam said as she neatly stuck identifying labels on each of the triplicate copies of the exhibits, “how has the morning been?”

After asking the question, Sam threw back what looked to be the last pull out of her large, purple and turquoise clad, styrofoam cup of coffee. If looks could kill, Angela would likely be back in that same courtroom as a defendant charged with homicide.

“Fine,” Angela sneered, “Is he here yet?”

Angela’s question was answered by the man himself, as the courtroom doors flew open and Danny Lawrence strutted in with his client in tow. Camera flashes lit up what had until then been a quiet courtroom as the photographers tried to get a glimpse of the goings on inside. You’d think Danny was strolling down his own hallway as he was holding his suit jacket and had yet to put on his tie. He was going to be as comfortable as possible for as long as possible.

As he reached his table and set down his things, Danny took the opportunity to face his opponent for the day.

“Good Morning Angie,” Danny said in almost a sing-song manner.

“Morning Mr. Lawrence,” Angela said as she pretended to be reviewing the contents of an exhibit she knew by heart at this point. This did not dissuade Danny.

“Hey, my assistant made a run over to Dunkin’, could I interest you in frosted chocolate one with jimmies? We’ve got a nice spread over here and you can feel free help yourself.”

“Mr. Lawrence, unlike you I like to be focused and prepared as much as possible, so I will be here working until the Judge calls order. You can keep your treats to yourself,” Angela leered, feeling quite happy with herself as she finished

telling Danny off.

He just shrugged, "Suit yourself."

Danny turned to put on his jacket and tie, and the blood drained from Angela's face as she saw that in addition to the donuts, Danny's assistant had also brought several carafes of coffee. Angela was considering whether or not a cup was worth the embarrassment when the jury began filing into the box.

"All rise," the bailiff announced as the Judge entered the courtroom, "the Honorable Judge Andrew Clinton presiding."

"Please be seated," the Judge stated in the kind of bored manner that Judges generally speak in as they enter a courtroom; as if a career of formalities has killed the charm of people standing up whenever you enter the room.

"We have a lot to get through, let's get started. Prosecution, please call your first witness."

"Your Honor, the State calls Lloyd Irving to the stand."

Angela's strategy was fairly simple in its theor. By her estimation, Frank Cole had committed so many fraudulent acts that he fit the statutory definitions of nearly a dozen types of criminal fraud under the New York Penal Code. Angela charged Frank on 5 of them and had 10 witnesses lined up to explain how he committed each one.

"Objection, hearsay."

"Objection, opinion."

"Objection, relevance?"

"Objection, calls for speculation."

"Objection, vague."

Such was the refrain from Danny, as Angela tried questioning her witnesses. Nearly every one of Danny's objections was met with an emotionless "sustained," from Judge Clinton.

As much as Angela wanted to be annoyed with Danny's incessant objections, if she was looking at them objectively herself she'd agree with them. Given the short time frame and the amount of witnesses to get through, Angela had not had enough time to properly prep each witness. Not only that, Angela had stretched herself so thin in learning about each witness and the specific elements of each charge that she was not able to ask the questions that would elicit the answers she wanted the jury to hear. Because of this, they rambled, and rarely made the kind of impact on the jury that she was hoping for.

On cross examination, Danny jumped on them like a viper, picking apart the details of their stories.

"So, in fact, you never actually saw Mr. Cole and Counselman Adderley together did you?"

"So you have no idea what was in the envelope in question, yes?"

"Therefore we agree that only a fool would think that my client would forge a signature on that change order, correct?"

Angela should have objected to that last question, and probably a dozen others, but she was trying to keep the elements of the various frauds straight in her head, and trying to piece together whether she had still proven each one. Hell, at this point she wasn't sure if she had proven any of them.

"God, why was I so stupid?" Angela thought to herself. Of the 5 fraud charges only First Degree Bribery of a Public Servant had any potential jail time on it. The rest were not likely to get the State much of anything back in restitution, if she had just focused on the big one she could have nabbed Cole. As it stood right now, her argument was as weak as her coffee yesterday morning.

"Counselor?" Judge Clinton grumbled, clearly annoyed, "Your next witness."

The blood raced to Angela's face, she couldn't remember what was next, so she said the only thing she could think to say, "your Honor, the prosecution rests."

A wave of confused murmurs rippled through the gallery, such that Judge Clinton gave a light tap of his gavel to regain order.

"Counselor, did I hear you correctly?" He too was confused, "You're ready to rest after just one day of witnesses? This trial is scheduled for three weeks."

"Yes your honor," Angela replied, "the State believes Mr. Coles guilty to be obvious based on witness testimony."

It was obvious to anyone watching the proceedings that Angela did not believe that.

Danny wasted no time, "your honor, the defense moves for a directed verdict. There are no facts at issue here, and the State has not presented evidence of any crime committed by my client."

Judge Clinton paused before answering, "I'll need a moment to consider, we'll take a short recess."

"All rise," the bailiff barked as the Judge retreated to his chambers. As soon as the Judge was out of sight, Angela slunk down in her chair.

"What the hell was that?" Sam harshly whispered, "I've been in the office non-stop prepping paperwork and arranging witnesses on this case and you fucking quit?"

Sam looked like she was going to cry, she was so angry. Angela at that point just wanted it to be over with.

"All rise," the Judge had apparently come to a decision.

"Mr. Lawrence, your motion is denied, I believe there are still questions of fact and law in this case given the evidence presented by the State. We'll begin tomorrow at 9:00 AM, with the Defense, court is adjourned," and with that the Judge

quickly knocked his gavel and evacuated to his chambers.

Danny looked over at Angela confused. He did not expect such a weak performance from her.

Angela just sat, staring at her table. Then, almost robotically, she stood; walked over to Danny; took his coffee; and left the courtroom.

chapter seventeen

Jeanette Everson

GODDAMMIT! WHAT NOW? CLINTON scrunched the wodge of notes into the pocket of his trousers and quickened his stride. The secretary – Gloria? Gretchen? – scurried away, eager to be out of range of his annoyance at being interrupted by this barrage of identical messages, all impeccably hand-written onto neat squares of memo paper. By Gladys, that was it. A stack of notes, written by Gladys, all saying to call Amy, *now*. Scarlet robe swinging behind him, Clinton strode into his chambers, already wrestling off his wig. He mopped his brow ineffectively with the scratchy wig, before dropping it onto the leather Chesterfield. Still sweating, he reached for the phone on his desk, punching at the familiar numbers with a stubby forefinger.

The shrill ringing of the telephone in the elegant hallway of the comfortable home he shared with Amy, just a few blocks from the courts, echoed through the receiver. Forcing himself to breathe more slowly (“*Think of your heart, dear,*” even in absence, Amy’s voice nagged him in times of stress.) he imagined his wife tripping daintily across the parquet to

answer it, although in truth it was several years since Amy had tripped daintily – her 46 years still looked closer to 36, but she was certainly no longer the svelte 20-something he'd first set eyes on. His momentary reverie was broken by the sound of his wife's interjection, a little tinny with static, and higher pitched than her usual refined telephone manner.

"Clint," she cried, and promptly burst into tears.

He manoeuvred his way around the desk, expertly flicking the phone cord over the stack of papers, and sat heavily in his chair. He aimlessly nudged the papers into a tidier pile as he waited for his wife to regain control – several deep breaths, hiccupping sobs, and an ugly snort as she blew her nose. She tried again.

"Andy," she deferred to her more usual nickname for her husband, a sure sign that she was more in charge of her emotions. Clint was for when they were young and carefree, life ahead of them, now reserved for heightened passion or extreme emotion. She preferred 'Andrew' now among colleagues or staff, 'Andy' among friends or when they were alone, assuming a formality she felt his upwards climb through the courts necessitated. "Andy, it's Jean," and then she was gone again, lost to a new volley of sobs.

"Amy," his voice was firm and calm. Years of exposure to the criminal nuances of New York had given him a steady game face and outwardly unflappable demeanour. The whiteness of his knuckles as he gripped the receiver to his ear belied his manner only to the portrait of his predecessor that hung on the wall behind his chair. "Amy. What is it?"

Between gasping, shallow sobs, she managed to spit it out. Jean, apparently, was currently sedated in the care of the Columbia University Medical Centre under the watch of one of her housemates. Some kind of 'incident', Amy's panic

incited a fresh wave of weeping which caused the word to waver uncertainly through the telephone wires.

Clinton sighed inwardly. He hadn't time for this. Just because the prosecution rested, there was still plenty to consider before the case continued. Proceedings were, however, finished for the day and his desk had, at least, been cleared for the duration of this damn Cole case. His intern, Kirsty, could tidy up for him and handle things for the rest of the day; she had to learn sometime. He supposed he should go home and see what the fuss was about.

Turning his key in the lock some forty minutes later – he hadn't hurried, this wasn't Jean's first drama – he hung his jacket neatly on a peg by the door, smoothed his greying dirty-blond hair in the mirror in the hallway, and slipped off his shoes. The damp patches under his arms reflected the August heat rather than worry or exertion. He undid his top button, eager to take off the sticky shirt and replace it with a fresh one, and padded towards the back of the house. He found his wife pacing in the kitchen, an undrunk china cup of green tea cold and scummy on the countertop, and an undrunk mug of coffee next to the sink.

She turned angrily as he came into the room, eyes black-rimmed with streaked mascara. He parried the blow, opening his arms to her. "I came as fast as I could," he lied, "I had to recess. You know how it is." She did, of course. She was accepting, proud, supportive of her husband's position, and usually understanding of the demands that came with it. Truth be known, she *liked* being the wife of a judge. She allowed him to enfold her into his arms and gratefully rested her head onto his chest. They stood there for a moment before he gently pushed her away to ask, "Tell me, then, what has she done this time?"

Less than ten minutes later they were in a taxi bumbling impatiently through the stop-start New York traffic. The Hudson gleamed alongside the road like a sliver of silver in the bright summer sun, totally unnoticed by the Clintons as they gazed irritably out at the traffic while the cabbie chatted inanely about something or nothing.

An interminably long forty-five minutes later (“Keep the change, man.”; “This way, sir, madam, follow me please.”), they were at their inert daughter’s bedside. She appeared to be sleeping peacefully, and Amy visibly relaxed at the sight of her apparently uninjured child. She grasped her daughter’s hand and slumped onto the chair beside the bed, freshly vacated by a lanky Asian girl Amy thought she vaguely recognised. Amy stroked her daughter’s arm softly, noticing now the red welts on her wrist; a slight ridge beneath Amy’s thumb as she gently caressed her daughter’s skin.

Andrew, having given his daughter a cursory glance, now turned to the other girl. “What happened this time?” he asked.

There had been too many previous incidences of drinking, minor drugs, wild sorority parties, that he had had to try to play down, smooth over, and keep out of the papers. Nothing major, but as a supreme court judge, he would have preferred a straightforward *nothing*.

“Judge Clinton, Mrs Clinton,” the girl began, “didn’t they tell you on the phone? It was horrible; she was so scared-” She broke off as Andrew took a step towards her and looked at her properly for the first time since entering the room, taking in her pale face and the slight tremor as she spoke.

“I’m sorry,” he said, arms open in a conciliatory gesture, “I can’t remember your name. I think we have met though?” he smiled in his most reassuring ‘trust me, I’m a judge’ manner. “What exactly was horrible? What was she scared of?”

The girl sank back slowly against the foot of Jean's bed, perching her backside onto the edge, careful to avoid her sleeping friend's feet. She sighed, pushing a loose strand of sleek black hair behind her ear. "You should sit down," She nodded towards another chair tucked behind the door and waited while Andrew dragged it nearer to the bed.

"She's been getting these strange messages for a while. Did she tell you anything?" She glanced first at Andrew, then at Amy. Both shook their heads; Amy met her gaze with a blank expression before shrugging her shoulders and turning her attention back to her daughter. The girl took a deep breath.

"Li," she said. "I'm Li. I live across the corridor from Jean. We're housemates. Friends, too, of course. So," she crumpled a fistful of the bedsheet between her fingers, playing with the fabric for a moment as she considered how to start. "A couple of weeks ago – two, three – I'm not sure – she got a note under her door – her bedroom door, not the main door – someone from inside the house." She looked up at Clinton. He nodded, *Go on*. "It was a bit weird; said, 'You have beautiful skin', with a crappy little drawing of a butterfly – well, a moth, we supposed, after the next ones came, you know, like in that film? Did you see it?"

"The one about the lambs? No, Jean talked about it when it first came out. She saw it a few times already, I think. Go on." His face remained impassive, open, not recognising the connection yet.

"So at first, she thought it was just a joke, someone who fancied her, or something – like you said, she loved the film – she thought it was someone who knew that, but then there were more, getting more graphic each time – what the writer wanted to do with her skin, you know, and she stopped thinking it was funny and cool, and she began to get a bit

scared by it, talked to the counsellor, made us all promise to be more careful locking the doors, and so on. We kind of thought it was a joke too – sorority stuff, a prank, you know? But then she started to think someone was following her too...” she tailed off as Clinton stood up abruptly and began pacing.

“That bastard!”

Li looked up in surprise. “Who?”

“Cole. My current trial. Frank Cole. He’s been insinuating all through the case that he doesn’t appreciate my impartiality. He’s been making veiled threats since the trial began. Nothing specific, snide comments, talk of ‘consequences’.” Clinton’s tone made the quote marks around word seem quite audible, leaving it hanging in the room like an unwelcome cobweb. He waved an arm as if to brush it aside. “I’ll show that bastard what happens when impartiality stops.” He muttered a string of obscenities under his breath and continued to pace. He stopped abruptly in front of the window, looked out across the campus, and took a deep breath. Forcing calm, he turned on his heel and gestured to Li to continue. “Sorry, go on.”

“So, this morning, she woke to find someone standing over her... she said she tried to call out, but he stuffed her teddy bear over her mouth – you know that manky old toy she still sleeps with?” Li gave a fleeting grin as she thought of the bedraggled, smelly childhood toy that Jean still kept on her bed.

“Bluey. He’s a rabbit.” Amy said, as if it mattered.

Li glanced up at Amy, but continued as if she hadn’t spoken. “Held it down against her mouth, so she couldn’t call out. And then she said he said something to her about how lovely her skin was and how he was sure she wanted to keep it looking lovely and maybe he would be back to change that for her... she was crying and screaming and didn’t make much

sense to be honest with you but she was so scared. He had a knife, she said. One of those sharp pointy ones that retract, you know, the ones you use for DIY? He kept showing it to her and telling her where he'd make the first cut. He didn't actually hurt her, not really, but he'd tied the teddy to her using the cord of her dressing gown, to make sure she didn't scream, and then he used a rope to tie her to the bed, all the while going on about her lovely skin, and his knife, and showing her the knife, and he must have brought the rope with him mustn't he? Because I mean it's not the kind of thing she'd have lying around is it? So he must have been planning it, and, and it must've been sharp she said because he cut the rope with it and it just sliced through it really easy she said and..." Li's words rushed together, crowding each other, overlapping and confused until she shuddered and pressed her hands to her mouth in two neat balled-up fists. "It was terrible." She stopped and looked up at Andrew, tears spilling over her cheeks. "I went in to get a book off her and there she was." She sniffed loudly and rubbed at her face with the sleeve of her cardigan. Andrew lifted a decanter from the bedside locker and poured a glass of water, passing it across to Li without comment as he waited for her to compose herself.

Amy, having been largely silent while Li was speaking, now also began to sob again, not so loudly as when she had been on the phone to call Andrew home, but with quiet, frightened gulps. She rubbed her fingers lightly over the welts on Jean's wrists, then leant over to push her daughter's hair back from her forehead, smoothing it gently away from her face while she searched for signs of trauma or pain.

None of them had noticed the nurse, who now cleared her throat softly in the doorway to announce her presence. Briskly taking charge of the room, she placed an incongruously

cheerful, brightly coloured blanket of crochet squares around Li's shoulders, patted her on the back, placed a hand gently on Amy's forehead and her forefingers to Amy's wrist, observing as she did so the fob watch that hung from her chest. She checked a chart at the foot of the bed and finally stilled to address the Clintons.

"She's just sleeping it off. No physical harm." The nurse was efficient and reassuring. Her vitals are fine. She'll wake soon I should imagine. I'll call my colleague to talk you through. Let's get you off for a check over now love." This last she addressed to Li, before turning to the Clintons and adding, "She's had a shock, no doubt, wouldn't leave her friend 'til you arrived, time she came away now, lots to process." With that, she ushered Li from the room, leaving Andrew and Amy staring at each other, unanswered questions in Amy's eyes, and a new fury in his.

"The bastard," he muttered. "The utter bastard. I'll see he gets his sentence now. I never thought he'd follow up on the threats. And he'd already started to carry them out. He's been doing this throughout the trial... the bastard. I'll see him hang." Andrew's previous scepticism of his daughter's ability to keep out of trouble had been replaced by a fierce reminder of his duty to protect her – a duty he'd failed her in today. He slumped onto the bed, filling the slight indentation where Li had sat, and leaned his head into his hands.

Despite the already sweltering early morning heat of New York in summer, Clinton jogged the few blocks to the courts, relishing the time to himself. He wouldn't admit it, but he was starting to enjoy this jogging, now he'd got over the initial indignity of Amy's jibes about middle-age spread and long lunches. At home, Amy fussed around her daughter, now comfortably ensconced in her childhood bedroom; in his

chambers, the day's proceedings couldn't wait. Usually unruffled, he was decidedly indecisive about the day ahead. He prided himself on professionalism, his reputation, and his unfailing ability to preside over his courtrooms with unbiased calm, but today, for the first time in his career, he must face someone had threatened Clinton's own family. It would be impossible to disguise his own views now. As he ran, questions bounced through his thoughts to the beat of his Walkman. *It Ain't Over 'til it's Over* pulsed through the headphones and he upped his pace. *Damn right*, he thought, agreeing soundlessly with Kravitz. Would he do the right thing; declare a mistrial, remove himself from the case? Continue to preside, ensuring his full wrath sway the outcome? Reach over the bench and throttle Cole? His footsteps echoed rhythmically from the sun-scorched pavement, the heat emanating up through the thin soles of his shoes.

Jean, in the taxi home the previous evening, had said little, but once home, she had begged her father to make it stop. She had, once she had retold the details and added in the parts Li had missed, been first surprised, then furious, and eventually even a little relieved at her father's revelation that Cole must be the perpetrator of the attack. How dare her father put her life in danger? Didn't he think how scared she would be to be threatened by that man's minions, or whoever he'd sent to stalk her and terrify her? But at least, a reason, an explanation; better than an inexplicable random attack from a stranger without motive, or a college boy whose path she had unknowingly crossed. As he ran onwards towards the courtrooms, Clinton recalled his daughter's pleas in a loop in time to the music. If it was Cole who was behind this, then her dad would be able to fix it, sort it out, get the man behind bars, see appropriate retribution, all those clichés that she

believed her father was capable of when he sat in court in his robes and allowed his serene wisdom to ooze into the minds of juries with a glance here, a nod there, or a barely audible sigh to indicate disagreement or displeasure. Kravitz segued into Adams – *Everything I Do* – and despite Clinton’s preference for ‘proper’ music, he wryly acknowledged that the tape Jean had left in his Walkman was hitting the spot this morning with its current chart playlist cobbled together from her CD collection. Yes, he would make things right. He’d do it for her. Hadn’t her mother begged with him, late into the night, and again over breakfast, to advocate leniency for Cole. “It’s only fraud after all,” she had said, as Jean listened to them talking in bed while they thought she slept in the room next door, quietly at first, then louder, the next morning as he looked up at her across the jug of freshly juiced something or other in a vicious shade of orangey-green. “Not murder. Not worth risking your daughter for.”

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.