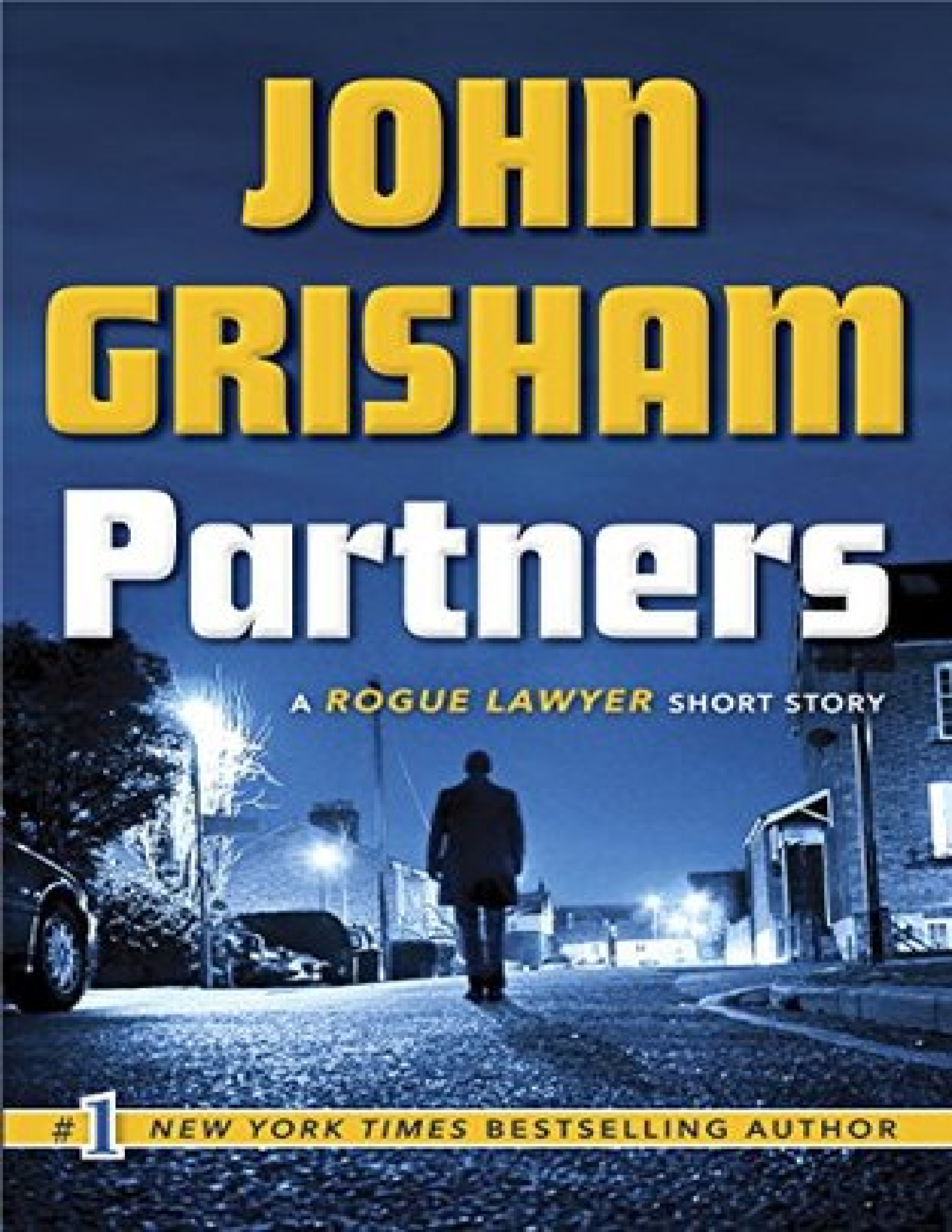
JOHN GRISHAM

Partners

A *ROGUE LAWYER* SHORT STORY



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JOHN GRISHAM

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JOHN GRISHAM

PARTNERS

A Rogue Lawyer Story

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Contents

1.

Tee Ray and his son lived on the back porch of an old shotgun house, one in a long row of identical houses packed along Irvine Street in a section of town known, both affectionately and derisively, as Little Angola. The house was owned by a bruiser called Thick, or Mr. Thick as he preferred, and he really didn't want anyone living on his back porch, regardless of the paltry rent they paid. The rooms inside were rented too, for a few bucks here and there, to people so poor that Tee Ray and Jameel were at times thankful they lived outside. But winter was coming, and Tee Ray knew they had to move on. They had scratched out an existence on Mr. Thick's sagging boards for two months, each day vowing to find another place.

But Tee Ray wasn't working. He had been laid off from his job delivering seafood to high-end restaurants out in the suburbs. Another job had fallen through. Jobs were scarce in Little Angola. He was thirty-three, and according to the newspaper half the black men his age or younger were unemployed. Eventually, most drifted into drug trafficking. From there, they went either to prison or to the cemetery. Tee Ray was determined to avoid both. His life revolved around Jameel, who had just turned fourteen and was headed for the streets. Headed? He was already on the streets, and if they didn't find a more stable place to live, the boy wouldn't have a chance. His mother left him years ago; not that it mattered. She and Tee Ray had not bothered with anything close to marriage, and when the kid was four she disappeared.

Through a friend, Tee Ray met a crack runner called Tox. Real names were never used, only nicknames and aliases,

and they sometimes changed weekly. Tox worked for an unnamed boss who took orders from someone else up the chain. Tee Ray didn't know who the big boys were, nor did he care. The urban legend was that the crack that poured into Little Angola came from a Mexican cartel. The cocaine that flooded the white neighborhoods came from South America and was controlled by a local gangster, one who'd received the death penalty a year earlier.

Such matters were of little interest to Tee Ray. He was focused on survival. He'd been told that Tox was looking for an older guy, someone perhaps more dependable. The kids were used as the "cashiers," the actual street dealers who handed over the goods as the customers handed over the cash. As the most vulnerable, they were the most likely to get busted. Their bosses worked in the shadows, always watching and ready to vanish. After a couple of years as a cashier, a kid savvy enough to avoid the cops would get himself promoted. Most, though, didn't make it that far. Most were arrested, refused to talk, were processed through the criminal justice system, and got sent away.

Regardless of how broke he might be, Tee Ray had no plans to sell crack on the streets. He was, though, willing to move it around town, carry a gun, and take a few chances, and he was determined to survive. He would do it part-time, save some cash while looking for a real job, then move with Jameel out of Little Angola. But then everybody wanted out. Everybody wanted a job. Everybody wanted a better life away from the streets and drugs and violence and hopelessness. Tee Ray had a first cousin who worked in a tire factory, made $20 an hour, more with overtime, and had a wife who taught school. They lived in a modest tract house with flowers along the sidewalk and an aboveground pool in the back. That's all Tee Ray wanted; nothing fancy, nothing rich. Just a dignified life built on honest labor.

Instead he was now muling crack around Little Angola on foot. He met Tox after dark in an abandoned warehouse at the end of a war-torn street that even the cops avoided. Other tough guys were moving in and out of small rooms, everyone glancing around with suspicion and no one saying much. A stray word or the wrong move might provoke gunfire. Tee Ray was acting tough because it was required, but inside his stomach was flipping. This was not where he wanted to be.

Tox said, “Nice coat. Where’d you get it?”

“Goodwill. Paid ten bucks for it. At least two sizes too big.” He took it off and dropped it on the floor.

“It’ll work. Here.” From a nail on a wall Tox lifted a bulky vest, customized with extra linings and pockets filled with small bags of rock. It felt as though it weighed twenty pounds. “A hundred bags,” Tox said.

“Where am I going?” Tee Ray asked as he slowly worked the overcoat over the vest.

“Not sure right now. The Bulls were spotted last night, so there might be trouble.” He handed Tee Ray a cheap, prepaid cell phone. “Keep that in your hand. You got a piece?”

Tee Ray reached into the right rear pocket of his jeans and produced a snub-nosed .38 with no serial number. Tox looked at it, shrugged as if it wasn’t much of a weapon, and said, “It’ll do. Just don’t use it unless you have to.”

Tee Ray almost said, “I’ve never used it,” but let it pass. He’d bought the gun from a street dealer two years earlier for protection. He couldn’t imagine actually shooting at someone. The Bulls were rival drug dealers known for their savagery, and Tee Ray felt weak in the knees. As if undercover cops weren’t enough to worry about, drug dealers also had to cope with rivals moving into their territory.

A year earlier, a now-famous drug deal in Little Angola had gone bad when two gangs and a bunch of narcs squared off in a raging gun battle in which, at times, it appeared as though everyone was shooting at everyone else. Three thugs were killed; one cop died; one was severely injured. For a month the editorials raged and the politicians railed, but after a year nothing had changed on the streets. Eight defendants were still awaiting trial. Crack was in high demand. Someone had to deliver it.

Tee Ray was certain he could avoid serious trouble, and he was determined not to use his gun. If he got caught and arrested, he would face his punishment like a man. But he would not, under any circumstances, kill anyone. He knew too many men who would die in prison. Trafficking could get you hard time, but using a gun could get you locked up forever.

He left the warehouse and drifted through the shadows and alleys of Little Angola. A chill was blowing in from the river; it was the coolest night of the season. He thought of Jameel and hoped the kid was where he was supposed to be —on the porch in a makeshift tent, reading a history lesson by the dim light of a small battery-powered lantern. If he wasn't there, he would be at the YMCA playing basketball. He was already taller than Tee Ray, thin and limber and able to jump over the backboard. Scouts hung around the Y, and a couple had chatted with the kid. If he kept growing, he might escape the streets with an all-expenses-paid ticket to college. Tee Ray dreamed of this, but he wasn't sure Jameel had visions of the big time. He wasn't in love with the sport, wasn't that motivated. Tee Ray feared his son might be one of those talented athletes who didn't have the drive. Another head case too lazy to work.

Tee Ray's phone vibrated. Tox told him to take a position near the river, at a place called Pier 40. Ten minutes later, Tee Ray eased into a public restroom, an empty, grimy place

that reeked of too many strong odors to identify. A kid, wearing a Lakers cap, who looked to be about the same age as Jameel, walked in and said, “Tox said you got twenty.”

Tee Ray quickly handed over twenty bags. The kid was gone in seconds. Tee Ray waited in the only stall with a lock for five long minutes, then opened the door. If they had been seen, the kid was already handcuffed and the cops were waiting. But all was quiet. He hustled away, found an alley, and called Tox.

As he waited for instructions, he drifted across Little Angola. He checked the porch. Jameel was not there. He prayed he was at the Y. Tox called and told him to go to the Flea Market.

2.

The Flea Market was a city block burned and leveled by the race riots of 1968. Over time most of the charred remains were bulldozed and cleared. All the owners were either dead, gone, or indifferent, and the city eventually planted some trees, built some pavilions, and put in sidewalks and a pond. It granted permits for street vendors and merchants, and all manner of goods were for sale. The Flea Market became a busy place not only during the day, when housewives shopped the stalls for food and cheap clothing, but especially at night, when buyers from all over the city eased into Little Angola for crack and other drugs. White kids felt the area was safe enough for quick transactions. Blacks knew who was dealing and where to go. The cops had learned that if they could keep most of the traffic confined to one area, the rest of the town would be safer. Somewhat. They watched the Flea Market but seldom interfered. The trafficking could never be stopped; thus, the current wisdom was to try and maintain some order to its flow.

Current wisdom also required an occasional foray into the pit. If the dealers were not intimidated, they would grow bolder and expand their turf. Killing one or two a year became the sensible strategy.

Following instructions, Tee Ray walked to the southeast corner of the block, the darkest part of the Flea Market, an area where the streetlights were shot out with air rifles each time the city replaced them. Behind a row of empty stalls, Tee Ray met another nameless colleague. He dropped his Goodwill overcoat, removed the vest, handed it over, and quickly transferred his entire inventory in a matter of

seconds. The man disappeared without a word, and Tee Ray grabbed his coat off the ground. He called Tox, who instructed him to return to the warehouse for another run.

Crump Street bordered the south side of the Flea Market and it was lined with cars parked for the night. Tee Ray was walking briskly along the sidewalk, trying to muster the courage to call Tox and tell him he was finished for now. He had just earned $300 and wanted to go find his son. A sudden movement to his left and across the street caught his attention. A figure jumped from between two cars and yelled, “Police! Freeze!”

Tee Ray froze and threw both hands into the air.

“On the ground!” the cop yelled, and Tee Ray went to his knees, his hands still as high as he could reach. The cop sprinted across the street and emerged on the sidewalk a hundred feet in front of Tee Ray. He was white and stocky and was wearing jeans, a Blackhawks jersey, a rapper’s cap, and combat boots, and he appeared to be alone. He clutched a black pistol with both hands and aimed at Tee Ray as he advanced. “Get down!” he yelled.

“Don’t shoot, man!” Tee Ray said.

The cop kept coming in a low, awkward crouch, as if dodging gunfire, then he fired. The first shot hit the sidewalk in front of Tee Ray and sprayed flecks of concrete into his face. “Don’t shoot!” Tee Ray screamed as he frantically waved his hands over his head. The second shot grazed the bulky right shoulder pad of his oversized Goodwill overcoat. The third shot nailed his left elbow and spun him around. He screamed in pain as he scrambled desperately to crawl under a parked car.

“Don’t move!” the cop yelled. He fired again, and the fourth shot hit the side of the car. Tee Ray managed to get his .38 out of his pocket. He fired twice. The first shot missed everything. The second shot, a miracle, hit his assailant in the right eye.

3.

Buck Lester had been an Eagle Scout, an honor student, an all-state wrestler, and a decorated Marine. He had crammed a lot into his twenty-eight years and had joined the police force after spending six boring months behind a desk. His time in Iraq had instilled a need for excitement, and once he became a cop he had quickly completed SWAT training and landed a spot on the undercover narcotics unit.

Narcs never work alone. Never. But on the night Buck was killed, his partner was spending half an hour with his favorite street hooker in a flophouse not far from the Flea Market. Alone, Buck became bored and got tired of waiting. He crept through the streets of Little Angola, with one eye on the southeast corner of the Flea Market. He had been ordered to make a couple of arrests that night. A quota needed to be filled. When he saw the black guy with the oversized overcoat, he knew he had a mule.

His partner's name was Keith Knoxel, a ten-year veteran with a thick disciplinary file. Knoxel had finished his business with the girl and was walking toward the Flea Market to find Buck. He heard voices close by, then gunfire, and ran to find it. Buck was on the ground, twitching, when Knoxel arrived. Knoxel aimed his gun at the black guy, who was crouched on the curb near a car.

He wished a thousand times he'd pulled the trigger.

The black guy stood, leaned on a car, tossed his weapon, threw up his hands, and said, "He tried to kill me, man."

"Shut up!" Knoxel yelled.

Tee Ray's elbow was burning and bleeding. To keep from getting shot again, he fell forward and lay facedown on the

sidewalk, arms and legs spread as wide as possible. He was aware that the second cop picked up his gun. He was aware that the first one was groaning and gasping, the low, sick sounds of someone breathing their last. The second cop was barking into his radio.

Soon enough, Tee Ray heard sirens.

4.

Sebastian Rudd’s law office had once been a Moose Lodge, then a tattoo parlor, then a bar that catered to low-end lawyers. The high-end crowd gathered for drinks in the fancy clubs atop the tall buildings where they worked or in the private clubs in midtown, places few street lawyers would ever be welcome. And that was fine with the street lawyers, as it was with the big-firm boys.

When the bar went down in a foreclosure, Sebastian finagled a loan and bought the building. It wasn’t much of a structure, more of an old clapboard house with additions stuck hither and yon, but what it lacked in architectural virtuosity was more than made up for in location. It was directly across the street from the city jail, a hideous, monolithic high-rise with inmates on fifteen floors and cops and lawyers crawling like ants around its doors.

Just down the street was the Old Courthouse, the heart of the city’s judicial system. Around the corner was the federal building, it too packed with courtrooms and judges and lawyers. One block over was the Central Police Station, another beehive of endless activity. And scattered conveniently among these buildings were all manner of shops owned and rented by bail bondsmen, private investigators, and street lawyers.

Sebastian Rudd was one of many. Ten years out of law school, he was steadily gaining the reputation of a lawyer who wasn’t afraid of the courtroom. Though no one kept score, he’d probably had more jury trials than any other lawyer his age. Almost all his clients were criminal defendants, most of whom Sebastian represented because he wanted the courtroom experience. He had plenty of

business, though he longed for clients who could pay nice fees. They would come, he kept telling himself. Build your reputation as a skilled courtroom advocate, and you'll never lack for clients.

Early in his career, Sebastian had realized that most lawyers, even his street brethren, really didn't want to face juries. They talked a good game. They liked to brag about their trial calendars. They bored each other with tales of courtroom heroics. But, as Sebastian learned, trial work is incredibly stressful. It's impossible to have a good time when a jury is in place, and most lawyers preferred just to talk about trial work. They hustled about the courtrooms making deals and plea agreements, getting motions and orders signed, and doing all manner of frantic legal work to make a buck. But give them a deadline facing a jury, and most would manage to avoid it.

Not Sebastian Rudd. He'd gotten his face in the newspaper a few times and he liked it. He'd won a couple of criminal cases no one else would take. His phone was ringing. His office was busy. He wasn't getting rich, but he was paying his bills and driving a nice little BMW, pre-owned.

His latest secretary was named Rachel, a cute twenty-year-old who wanted to become a lawyer. She was single. Sebastian was divorced. She'd been there a month and the sexual tension was growing each day. Something was about to happen. She walked into his office on a Thursday morning and said, "You'll never guess who just called."

"I have to be in court in ten minutes," Sebastian said, the same thing he said at least five times a week. "Who?"

"No name, but he asked if Mr. Rude, not Rudd, would be in a position to represent Thomas Ray Cardell." She handed him a message slip and said, "Here's his number."

Sebastian's jaw dropped. His heart froze. He fell back into his leather swivel and stared at Rachel. He finally managed

to mumble, “You gotta be kidding.”

For three days, Mr. Thomas Ray Cardell had been front-page news in the *Chronicle.* Tee Ray, as he was known in Little Angola, was in jail, in protective custody actually, and charged with the capital murder of Officer Buck Lester. After three days of nonstop and one-sided coverage, it was well known that the drug dealer murdered the cop in a savage, execution-style killing. One report had Buck begging for his life.

“I’m not sure I want to get involved in this one,” Sebastian mumbled.

“He’s waiting for your call.”

“Did he say anything else?”

“No. A man of few words.” She turned around and headed for the door. Sebastian, as always, watched every step. Though he wasn’t sure, he believed the skirts had gotten tighter during her first month.

She closed the door. He took a deep breath, stared at the phone number, refocused, and told himself not to make the call. As a criminal defense lawyer, and one known as a brawler, he had crossed the line with the police, and there was no turning back. He had challenged their credibility in court. He’d caught them cheating. He’d called them liars when they were lying. He’d complained to their superiors. He fought for his clients, most of whom were guilty, and to the cops Rudd and his ilk were no better than the scum they represented. This, though, was different. The cold-blooded murder of a brave keeper of the peace, a decorated soldier, and a local boy at that was a crime so repulsive that no lawyer in his right mind would go near it. His reputation could be ruined. Threats and intimidation were practically guaranteed.

Thomas Ray Cardell was indeed entitled to a lawyer. That’s why the city funded the Office of the Public Defender.

The PD had no choice.

Sebastian picked up the phone and dialed the number.

5.

Two hours later, a short, thin black man of forty eased into Sebastian's office and said hello. He said his name was Bradley, which didn't fit at all. He wore a tailored black suit, starched white shirt, and a narrow red-and-yellow bow tie. With his horn-rimmed glasses and squeaky voice, he could easily have passed for a minister or an English teacher in a prep school. Anything but a drug dealer.

With prefect diction and an impressive vocabulary, Bradley described himself as an entrepreneur with fingers in lots of pies. At the top were apartment buildings and car washes. At the bottom was the real moneymaker—distribution. Tee Ray had been working for an organization that Bradley was "affiliated with." This organization was well managed and highly disciplined. It had a policy of taking care of its own.

"It's a crack operation, right?" Sebastian asked.

More or less. Tee Ray was a rookie, but then experience is hard to gain out there because of the risks. "How much will you charge to represent him?"

Sebastian whistled softly and found the question funny. Bradley never cracked a smile. "I think you should let the public defender handle it," Sebastian said.

"We know the system, Mr. Rudd. Believe me, we know how things work."

"Okay. To mount a proper defense of a man charged with the capital murder of a police officer will cost you a quarter of a million dollars."

"That's outrageous."

“It is. No one can afford it. I’ve never heard of a lawyer getting a fee like that for such a case. Maybe a white-collar crook or someone like that, but not murder.”

“Why is it so expensive?”

“Because it will eat up my life until the trial is over. I’ll spend a fortune on investigators, jury consultants, expert witnesses. The State will throw everything it has at Mr. Cardell and spend whatever it takes. Trust me, Bradley, it’s a fat fee all right, but I won’t get rich off of it.”

Bradley swallowed hard and gently adjusted his glasses. He gave the impression of a man who could not be perturbed. Softly he said, “We’ll pay seventy-five thousand. That’s all. Cash. Think of the publicity you’ll get.”

Publicity was already on his mind. Sebastian nodded and smiled. He also admitted to himself it was unheard of for a criminal defense lawyer to collect a fee of $75,000 for a street crime. Cash. “I’ll think about it,” he said. “Give me twenty-four hours.”

“No problem. I assume you’ll need witnesses.” Bradley asked this as if he could snap his fingers and find all the testimony Tee Ray might need.

“Do you have witnesses?” Sebastian asked cautiously.

“Well, not yet, but I’m sure we can find some. Look, Mr. Rudd, *we* control the streets, not the police. This shooting happened on our turf. I’m sure there are eyewitnesses. We’ll help you find them.”

“Okay. While you’re looking, keep in mind that I prefer witnesses who are credible and have not spent time in jail.”

“That could pose a problem in our neck of the woods, but I’ll see what I can do.”

6.

On a beautiful Saturday afternoon, six days after he died, Buck Lester was given a lavish farewell, complete with a full funeral Mass at a downtown cathedral, a somber procession along streets lined with hundreds of uniformed brethren, and a full military interment with flags and guns. It was televised from beginning to end and lasted two hours.

Sebastian figured it was a good time to slip across the street and meet his new client. He visited clients in jail every week and always in one of the many attorney conference rooms on the second floor. There, they talked in private through a screen. Tee Ray, though, was the man of the moment, the hottest defendant in town, so for him there were different procedures. Sebastian was taken to a windowless room on the fourth floor, a room he had never seen before. He bitched at the guard about the extra security. The guard ignored him; the lawyers were always bitching about something.

The partition was not a wire screen but rather a thick sheet of some type of unbreakable glass with a three-inch hole in the middle of it. Sebastian stared at the hole, glanced at his watch, and waited. It was not unusual for the guards to make the lawyers wait, and wait. Bitching usually led to more waiting, but the trade-off was worth it. It was important to bitch to show the guards that they, the lawyers, were not intimidated. As a general rule, the guards despised the lawyers. The lawyers neither liked nor disliked the guards. They barely existed. They were either minimum-wage flunkies or part-time hobby cops lacking enough brains to get a real badge.

Sebastian pondered these things as he waited. The $75,000 in cash was locked in a safe-deposit box in a downtown bank. He was still debating how much to put on the books.

A door opened and a guard appeared. He was followed by Cardell, who for the occasion was wearing a Kevlar vest, a helmet, and of course the usual assortment of chains and cuffs, all for a two-minute walk down the stairs from the protective custody wing on the fifth floor. Because of the wound to his left elbow, the guards had generously cuffed his wrists in the front and not the back. Two more guards crowded behind him. Sebastian shook his head in disbelief as they went about the task of removing the restraints. Cardell stood perfectly still, his eyes on the floor. The helmet came off.

When they finished, one guard said, “You have an hour.”

To which Sebastian replied, “Bullshit. I’m his lawyer. I have as much time as I need.”

“An hour!”

“Take the damned Kevlar vest off, okay? The guy is here to see me, his lawyer. You think I’m planning to shoot my own client?”

The guards laughed at the lawyer’s stupidity. They left the room and Cardell, still wearing the vest, dropped into the plastic chair and looked through the glass. He slowly took the phone hanging by the partition.

Sebastian picked up his and said, “I’m Sebastian Rudd, your lawyer.”

“Nice to meet you. I guess I’m your client.”

“I guess you are. And you go by Tee Ray, right?”

“Tee Ray works.”

“Tee Ray, we’re not going to talk in here. I’ve heard about this room. The cops around here are pretty stupid and they probably have this place wired. I’ll go to court Monday and

get an order allowing us to meet on the second floor, where the attorney conference rooms are located. Those rooms are wire free, or so we think. So, let’s just say this is our first little hey-howdy meeting. We’re set for your first appearance next Wednesday in circuit court. I’ll be there, but we’ll talk ahead of time. Any questions?”

“My son—”

Sebastian threw up a hand. “Don’t say anything, because someone is listening. I’ve talked to Jameel, and I’ve talked to your mother, Miss Luella. A delightful lady. Jameel is living with an aunt while I try to arrange housing for him and your mother.”

Tee Ray nodded with gratitude but said nothing.

Sebastian said, “Don’t say a word about your case to anyone. I know you’re in a cell by yourself but that doesn’t matter. Every other inmate is likely to be a snitch, and he’ll pop up at trial and claim that you made a full confession. I’ll file a motion to keep you in solitary confinement. I know it’s not pleasant, but it will keep you away from potential snitches. You cannot trust anyone here, Tee Ray, do you understand this?”

He kept nodding.

“I’ll be back Monday afternoon and we’ll have a long chat. Until then, not a word.”

7.

The Sunday edition of the *Chronicle* was chock-full of color photos of Buck's grand farewell. The flag-draped coffin being carried from the cathedral; the pretty young widow in black; the hordes of cops in full dress (and from seven states!); the throng at the cemetery. Even the city's polished fire trucks were used in the procession.

And on the front page of section B, Metro, there was a mug shot of Thomas Ray Cardell, the cold-blooded killer, the man who'd caused all the suffering. Next to him was a photo of his lawyer, the Honorable Sebastian Rudd, described as a "well-known criminal defense lawyer."

When Rachel checked the voice mail early Monday morning, the third message came from a husky voice that promised, "If that nigger walks, Rudd's a dead man."

8.

Bradley came through with his promise to procure testimony. The first witness was a nineteen-year-old part-time college student who lived two blocks from the Flea Market. His name was Jacoby, and he swore to Mr. Rudd that he saw Tee Ray on his knees with his hands in the air and that he heard four loud shots, then two not as loud. He also heard Tee Ray scream, “Don’t shoot!” but the shots kept coming. Jacoby claimed to be lurking in the shadows because he was in the process of sneaking into the Flea Market to buy some pot for himself and a friend. The friend happened to be the girlfriend of a rather rough character, thus the sneaking around.

A month before the trial, Jacoby disappeared. Vanished without a trace. The police searched and investigated and went through the motions but found no sign of Jacoby. Sebastian had warned him that he could be in danger, and the kid claimed to be lying low. His mother said she had been concerned because he had been flashing around some cash, but she had no idea where it had come from. A week into the search, Jacoby called home, said he was in L.A. with some new friends and wasn’t coming back.

Bradley and his boys swung into high gear and found another witness, an unindicted felon named Rufus. He claimed to have seen and heard everything, just like Jacoby. Sebastian spent hours with Rufus and became convinced the man could handle the rigors of a trial. He could stick to his story and withstand a brutal cross-examination.

9.

The State’s case against Tee Ray was built upon the solid eyewitness testimony of Officer Keith Knoxel. By the time he had secured the murder scene, put the handcuffs on Tee Ray, and followed the ambulance to the hospital, Knoxel had created, rehearsed, and refined his story. Without a word about the hooker, Knoxel claimed to have been just on the other side of Crump Street, not far at all from Buck, when he too saw the black guy in the oversized overcoat. He heard voices and began to cross the street to cover his buddy. The black guy charged Buck as they exchanged fire. Then, somehow, Buck dropped his weapon, and Mr. Thomas Ray Cardell shot him in the face. It had all happened so fast, but there was no doubt in his mind. He had witnessed a murder.

The chief prosecutor was a blustering, hard-charging climber named Max Mancini, and Max was finding it impossible to keep his picture out of the papers. He was pushing for a speedy trial. There would not be a plea bargain. It was a clear-cut death penalty case. Anything remotely related to the upcoming trial of the cop killer required either a press conference or a serious sit-down interview. Every motion was hotly contested and reported on.

Sebastian moved for a change of venue. The hearing took two days and the courtroom was crowded. The motion was denied. Sebastian filed a notice of a claim of self-defense, and Mancini offered his thoughts to a reporter. Sebastian moved for a gag order in an effort to stifle the prosecutor, but the judge said no.

The pretrial maneuverings were intense as the clock ticked. Through it all, Sebastian skillfully eliminated a few

crucial elements of the State's theory. For example, the press had labeled Tee Ray a drug dealer, but there was no proof of this. He had not been in possession of anything when he was arrested. He had admitted nothing. He was not known to the police to be involved with trafficking. Simply walking down a street at night near the Flea Market was not evidence of guilt. His gun, the alleged murder weapon, was indeed an illegal firearm. It was unregistered and its serial number had long since disappeared. However, and much to the surprise of everyone, the Beretta 9-millimeter fired by Buck Lester was also unregistered. Apparently, it was a leftover from his Marine days and he preferred it over the 9-millimeter Colts issued by the city police. Sebastian doubted the prosecution would get near the topic of illegal firearms. The jury might expect a guy like Tee Ray to carry one, same as everyone else in Little Angola, but not one of the city's finest young policemen.

The cops and Max Mancini had failed in their efforts to create testimony. Sebastian had succeeded in keeping Tee Ray in protective custody, in a cell by himself, and had thus prevented the involvement of any of the prosecution's web of snitches. They were career deadbeats, most of them druggies, and they were always in jail for small-time felonies. The cops would feed them the details of a crime, stick them in the cell with the accused, and—presto!—get a new witness who'd heard a full confession. After the snitches lied under oath to the jury, the charges against them would be either reduced or lost in the paperwork.

Just for the hell of it, Sebastian filed a formal motion that he labeled "Motion to Prevent the Police and the Prosecutor from Employing the Use of Jailhouse Snitches to Attempt to Elicit Fabricated Testimony from the Defendant." The motion was deemed out of order and overruled, but the point was made.

10.

Two weeks before the trial, Rufus was pulled over for allegedly driving through a stop sign without making a complete stop. He argued with the officer, who called for backup. Two other patrol cars arrived and Rufus was handcuffed. In his rear floorboard, a policeman found a shipping carton with a pound of crack.

Rufus swore he'd never seen it before, swore it was planted by the cops.

Sebastian visited him in jail and told him he was lucky he hadn't been shot. He wasn't sure if Rufus would now be useful at trial. Sebastian would make a decision in a day or so. Meanwhile, he would speak with Bradley, the financier, and try to arrange bail. Rufus asked if he would be safer in jail than out. Sebastian wasn't sure.

As he was leaving the jail and crossing the street back to his office, a young man in a rumpled suit caught up to him and said, "You're Sebastian Rudd, right?"

"I am."

"I'm Walter Branch, a new lawyer in town. Just down the street."

Sebastian stopped, smiled, offered a hand, and said, "Yes, I think I've seen you around."

"A pleasure. Look, we need to talk, and soon. Like right now. Preferably in a room with complete privacy."

"My office is right here."

"How about the coffee shop around the corner."

"And this is urgent?"

"Trust me."

Branch paid for two espressos and they huddled in a corner, as far away from the other three customers as possible. As Branch spooned in some sugar, he glanced around, and in a low voice began, “I have this client, kid’s a real mess. Twenty years old, part-time college student, full-time crackhead. He’s been through every rehab clinic this side of Betty Ford. Nothing sticks. They lock him up for two months, he stays clean for a week, then back on the crack. Very sad. Pathetic really. Family has a ton of money, so they keep shucking out big bucks, hoping some clinic somewhere can find the magic cure. Not likely to happen. Anyway, the kid knows what happened when the cop got shot.”

Sebastian stared out the front window and watched the pedestrians hurry by. “And how does he know this?”

“He was there. In a parked car with a buddy, both stoned to hell and back. In fact his friend, still unnamed, had passed out in the driver’s seat. My client was on the passenger’s side, the sidewalk right beside him. He says he saw the black guy, Mr. Cardell, walk by him, headed west, and the cop came out of nowhere, yelling and then firing. Says your guy hit his knees, threw up his hands, and the cop kept shooting. Finally, your guy got hit, sort of rolled to one side, and whipped out a gun. A helluva shot.”

Sebastian sipped his espresso. “That’s identical to Cardell’s version.”

“Right. And there was no second cop on the scene until the shooting was over. My client even thought for a moment that the second cop was gonna shoot Cardell. He didn’t, though, because he was freaking out over his buddy. My client slid lower in his seat, afraid he might be seen, and he eventually slipped out of the car and got away without being noticed.”

“So why can’t he testify?”

“That’s where it gets complicated. This is a prominent family. The kid’s parents are divorced. Everybody’s been

through rehab. Calling the family dysfunctional would be giving it a compliment. The money was made by the grandfather, who still controls it all. A real prick. Tightfisted, arrogant, hard-nosed, domineering, really rough on his family because the family is so screwed up. He's spent a fortune trying to get this kid clean and sober. Good money down the drain. Now he's fed up. The kid turns twenty-one next year, and when that happens some trust funds kick in, courtesy of Gramps. Gramps, however, retained the right to revoke the trusts, and he's been threatening to do so. About a year ago, he gave the kid an ultimatum—get clean or forget about the money. So the kid's been kissing Granddaddy's ass and telling him that all is well, no drugs, lots of studying in college, loves being sober, and so on. He manages to stay clean when he's around the old man, but when he's not he's back to his old habits. He can't help it. Frankly, the last thing this kid needs is a load of cash, but the trust funds are there and he sees easy street." Branch paused for a sip. "Don't have to tell you this is a big trial. If the kid comes forward and tells the jury that he was smoking crack in a parked car in the middle of Little Angola at ten o'clock at night, then Granddaddy will be humiliated."

"Does the kid know we're talking?"

"Sure. I couldn't say a word otherwise. He wants to help, to tell the truth, because he knows what's at stake for your client. He actually has a brain and a conscience and a real soft spot on racial matters. Most of his friends are black, including the driver who'd passed out. He's in a rock band that's mostly black. I caught 'em one night in a club. Pretty bad stuff but they were all hitting the pipe."

"If he was stoned, how does he know what he really saw?"

"Obvious question, right? He says he was high as a kite, but when you witness something that dramatic it makes an impression. And he wasn't as bad off as his buddy. I believe the kid. He's got the facts right, doesn't he?"

“Yes.”

“And he has no way of knowing Cardell’s version because Cardell has said nothing except it was self-defense, right?”

“Correct. When did your client tell you this?”

“Last week. He’s really struggled with it and, being an addict, blames it for his current slide into la-la land. He wants to help but the consequences are just too steep. Plus, he’s afraid of the cops.”

“Smart boy.”

Another sip and the cup was empty. Branch said, “That’s all I have, Sebastian. I’m sworn to secrecy. Is there a way to get the kid’s testimony before the jury while protecting his identity?”

“Maybe. If I can promise that, will he come forward?”

“I think so, but keep in mind we’re talking about a person who’s not exactly stable.”

“Got it.”

11.

A week before the trial, Sebastian arrived at his office early one morning and was shocked to find a spray of bullet holes across the front. Windows were blown out; a door was shattered. He called the police, who reluctantly showed up and took notes. When the stores opened, he bought two pistols and applied for the proper permits. Back in his office, he called a client who knew a security consultant. For the first time in his budding career, Sebastian Rudd had a bodyguard, a part-timer named Hiram.

The things they don’t teach you in law school.

12.

As he had done half a dozen times already, Bradley called and said they needed to talk. By now this meant a clandestine meeting in a secluded place, usually somewhere on the fringes of Little Angola. Today it was a car wash, one owned by Bradley, whose real name was Murray Waller, and, as Sebastian had eventually learned, Mr. Waller had made a lot of money in the murky world of loan-sharking. He instructed Sebastian to park his BMW in line with all the other dirty cars and the wash-and-polish job would be on the house. Sebastian did so. He and Hiram entered the car wash and were told that the boss was waiting upstairs. Hiram stayed by the vending machines as Sebastian climbed the stairs.

The hooker was just a kid, a young girl in a woman's body, with long brown legs that were on full display. Without the layers of makeup and a cheap wig, she was actually a pretty girl with lost, sad eyes. With the door locked, she told her story again for the benefit of the lawyer. Bradley had heard it several times. In fact, Bradley had first heard it as a rumor not long after Buck Lester was killed.

That night, the other cop, Keith Knoxel, was in for a $100 quickie. The rate was $125 for the other customers but her pimp liked to take care of the cops. Knoxel had stopped by several times, said she was his favorite. Her street name was China. She was now eighteen years old, but she'd been seventeen on the night of the killing.

Not long after Knoxel left her, she heard gunshots but had no idea where they came from. Gunfire was not uncommon in Little Angola. An hour or so later word hit the streets that

a cop had gone down. She wondered if it was Knoxel. Didn’t matter to her.

Bradley opened a drawer and produced a photo of Knoxel, one she’d seen before. “That’s him,” she said. “Remember him well. Don’t get many white guys.”

Bradley looked proudly at Sebastian and said, “So, Counselor, in summary, the State’s star eyewitness, while on duty, was actually having sex with a child under the age of eighteen while his partner was getting himself shot. And, as you know, Officer Knoxel is a married man with three small children.”

Sebastian said, “Got it, but he’ll just claim it’s a lie, that he’s never met China.”

To which she replied, “He was regular. Other people know him.”

As Sebastian was leaving, he whispered to Bradley, “Make plans to get her out of town.”

13.

The Honorable Owen Schofield read slowly and silently, flipping one letter-sized sheet of paper every five minutes, it seemed. The deep wrinkles in his forehead, along with the occasional pinching of the bridge of his nose, revealed a growing concern as the words accumulated. Without comment he finished the affidavit of John Doe, set it aside, and picked up the one from Jane Doe. No relation.

On one side of the narrow table Sebastian sat alone and doodled on a legal pad. He'd written both affidavits. There was no need to read them again.

Across the table, Max Mancini sat uncharacteristically alone. As he read the affidavits, he put himself through an entire repertoire of histrionics as his face grew redder. Veins bulged in his neck. He shook his head in disbelief. He shot murderous looks at Sebastian. He bit his tongue and clenched his jaw to keep from blurting out something and interrupting His Honor. He tapped his fingers nervously as he turned the pages. He exhaled loudly in complete disbelief.

"Would you knock it off?" the judge said, glaring at him.

"Sorry."

The judge returned to his reading. When he finished, he looked at Sebastian and asked, "As for Jane, when did you learn this?"

"Yesterday," Sebastian replied.

"It's clearly inadmissible, Your Honor," Max finally blurted. "The deadline for disclosing witnesses was a month ago."

Schofield looked at Max as if he were a complete idiot. He paused, then said, "Last time I checked I'm wearing the

black robe. If I need anything from you in the way of commentary or opinions, I'll ask. Until then, try to restrain yourself."

Max did not respond. Sebastian said, "John Doe appeared on the scene last week. Jane, yesterday."

"And Jane is willing to reveal her identity at trial, but John is not. Correct?"

"As of today, Your Honor, that is the case."

"They're both lying," Max said.

Schofield looked at him and said, "Well, it looks as though Mr. Knoxel may be having his own problems with the truth. That's why we have juries. To hear evidence and evaluate the credibility of those testifying."

"So you're going to allow them to testify?" Max asked.

"Yes. To exclude them would be reversible error in the event of a conviction. Fairness dictates allowing them to take the witness stand. Gentlemen, let's tee it up."

14.

Knoxel brought a lawyer to the meeting, a union veteran named Dahl, a tough labor guy the cops ran to when they were in trouble. Dahl had once been a cop and had learned the ways of the streets from the gutters up. He truly believed that no cop should ever be punished. The average citizen wanted to be safe but had no idea what that required of the men in blue. Any day could be their last. The criminals had them outnumbered. The pressures were enormous, and if they cracked occasionally it should be overlooked or swept under the rug.

On the phone Mancini said it was bad. As Dahl and Knoxel read the sworn statement from Jane Doe, Mancini watched them carefully. He fancied himself a shrewd observer of people. He had to be. Success in the courtroom often turned on which side presented the most effective witnesses. Smooth liars, and they were rare, often convinced jurors. Honest witnesses often came across as unsteady because of the pressure.

Watching Knoxel read the affidavit, Max Mancini had no doubt Jane was telling the truth. When Knoxel finished, he huffed and tossed it on the table. “What a crock of shit,” he said.

“Unbelievable,” said Dahl.

“Were you with the girl?” Mancini asked.

“What? Hell no.”

“You’re lying, Keith. Look at you. Your eyes. You’re a deer in headlights.”

Knoxel flinched as his jaw dropped open. He had just been called a liar by the chief prosecutor. They were on the same

side, weren’t they?

Because he had to say something, Dahl offered a weak “You don’t believe this stuff, Max, do you?”

“It doesn’t matter what I believe,” Mancini said, glaring at Knoxel. “It’s what the jury believes.”

Knoxel’s heart was pounding and his forehead was moist. He looked away and thought of his wife and three children. The marriage wasn’t that stable at the moment anyway; they were barely holding it together for the kids. This testimony from China, in a crowded courtroom with the press licking up every word, would be the end. He had fantasized about his wife sitting proudly in the front row while he carried the ball for the entire force. He would be the man of the hour, and perhaps she would be proud of him.

He shook his head as Mancini bore holes in him. He would simply maintain his innocence, claim she was lying, and convince the jurors. Hell, he was a white cop. She was a black hooker. Surely credibility would swing his way. He managed to say, without a trace of conviction, “Come on, Max, she’s lying. This is just some more fiction created by Rudd.”

Max replied, “I don’t trust Rudd for a moment. But how do you respond to paragraph number ten, where she says there’s at least one other girl who can identify you as a customer? And, of course, the pimp.”

“I’ll bet the pimp has a record a mile long,” Dahl offered gamely.

“He doesn’t,” Max snapped without taking his eyes off Knoxel. “The cops leave him alone for some reason.”

“It’s a crock, Max, okay. All fiction. I’ve never met this girl and I don’t sleep with hookers.” Knoxel folded his arms over his chest and pouted like a four-year-old. How dare they question his integrity. Worse than the divorce would be the

humiliation in front of his brethren. They were counting on him, the star eyewitness, to nail Tee Ray, to deliver a guilty verdict followed by the death penalty. For eleven months Keith Knoxel had been their hero, the comrade who would avenge the killing of one of their own. Now, though, he was being accused of having a little paid sex in a run-down flophouse with a minor while his partner was gunned down a block away.

He would be ostracized, cut out, ignored, fired, or worse. Divorced and out of work. “I don’t believe this,” he mumbled.

15.

Knoxel took a day off for personal leave but did not tell his wife. After dark he went to a bar and started drinking. Alone in a dark corner, he weighed his options, the most attractive of which, at that awful moment, was putting his gun to his head. He could do it. It was not uncommon in his line of work. He knew three guys in the past five years who'd done it. All the same: no pills, no ropes, no jumping off bridges. There was only one way for a cop to handle things—take the service revolver, put a bullet in the temple.

Or, he could neutralize his little China doll. He was crazy about the girl and obsessed with her. He knew she'd been seventeen and didn't care. That was part of the package, part of the thrill. It wasn't as though he'd been robbing her of her innocence. Why would she squeal on him and ruin his life?

The third option was the worst. Do nothing and go to trial. Tell his story with as much sincerity as possible. Brace for the shit storm when she took the stand. Then deny, deny, deny. What if the jury believed her and not him? What if the cop killer walked?

He left the bar and drove through Little Angola. Though he was a cop with a badge and a gun, he was still a white guy in jeans, and strolling through the neighborhoods was not a good idea. The Flea Market was somewhat safe if he were buying drugs, and there was a section of Crump Street where the white guys picked up hookers while the pimps kept things safe. Other than that, though, white folks stayed out of Little Angola after dark.

Knoxel parked beside a church and finished a can of beer. He used a burner to call Maynard, her pimp, but there was

no answer. He left the church and weaved nonchalantly through the streets but saw nothing. He stopped at a convenience store with iron bars across the windows and bought another beer. When he finished it, he parked on the street, took out his pistol, clicked off the safety, stuck it in the right rear pocket of his jeans, and ducked into an alley behind the flophouse.

He couldn’t be seen, couldn’t leave behind witnesses. He would neutralize China, then Maynard, and if he could score clean kills and disappear into the darkness all would be well. His marriage, career, reputation—all intact.

Dahl said they couldn’t use the affidavit in court. If Jane Doe failed to show, the affidavit was inadmissible. Something to do with Mancini’s right to cross-examine the witness.

Knoxel heard voices and hid behind a wooden stairway. The gun was out of his pocket, in his hand, and all he had to do was yell “Police!” and everyone within fifty yards would scatter. He felt safe, as always, but he could not run the risk of being seen. He peeked into a ground-floor window of the flophouse and saw no one. China usually worked in a room on the second floor. Silently, he opened the door and eased inside. From this point on, he had no choice but to shoot anyone who saw him.

“Four Killed in Botched Robbery of Brothel.” These days, such a headline out of Little Angola might not even make the front page.

The dim light was suddenly gone; the room was black. Knoxel saw nothing but lifted the gun anyway. As he tried to focus, a claw hammer landed at the base of his skull.

16.

The trial of Thomas Ray Cardell was delayed for a month as both sides inventoried their missing witnesses. Judge Schofield ran out of patience and set a date. He said, off the record, that it would be in the best interests of all involved if they got the trial completed before anyone else disappeared.

Jacoby was still hiding in L.A. There was no sign of Jane Doe. And, apparently, she wouldn't be needed anyway because there was no sign of Keith Knoxel either. The bartender said Knoxel had left the bar around 9:00 p.m., after six beers. A convenience store video captured him buying a sixteen-ounce can of Schlitz at 9:55. He didn't appear to be drunk but the clerk said he was red-eyed and shaky. His car was found where he left it, with three more empty cans on the passenger seat.

The police threw everything they had at the disappearance but found nothing. China was in Detroit hiding with relatives. Maynard had taken a break and was down in Memphis visiting his mother. Solid alibis everywhere. The flophouse was combed for days and yielded nothing.

The Flea Market was shut down after dark, seriously disrupting the flow of narcotics. In a show of force, the police basically occupied the streets of Little Angola, arresting dozens for every minor offense in the book. Not surprisingly, tensions rose and there were skirmishes.

17.

Against this backdrop, two hundred prospective jurors appeared as summoned to the Old Courthouse on a rainy Monday morning. Disregarding the weather, a boisterous crowd of protesters, almost all black, marched and made noise on the sidewalks around the building. Their banners demanded justice, freedom for Tee Ray, an end to the police state, and so on.

Because of his seniority, the Honorable Owen Schofield held court on the second floor of the Old Courthouse, in the grandest room of all. It had rows of cushioned seating for the spectators and soaring portraits of dead judges, all serious white men. It had thick marble columns behind His Honor’s bench and an elegant balcony with a hundred padded chairs. And on this day it also had an entire squad of uniformed bailiffs directing traffic. There was some jostling over seating. The reporters, typically, got in the way and demanded access. Two were shown the door. Schofield did not allow cameras in his courtroom, and he would have banned all manner of press if he’d been able. It took the bailiffs two hours to seat the pool of jurors, inspect their paperwork, and keep the reporters in their corner.

While this was going on, Judge Schofield met with the lawyers in chambers to iron out their current difficulties. Max Mancini was demanding another continuance. More time was needed to find Keith Knoxel. The search was only a month old, and until there was a body, dead or alive, it simply wasn’t fair to proceed without the State’s star witness. The FBI was involved. There may have been a sighting in Canada. His wife was clinging to hope.

Nonsense, argued Sebastian Rudd. He’s dead and they’ll never find his body. There’s not one speck of evidence indicating Knoxel ran away; therefore, he got snatched by some nasty types while poking around Little Angola, no doubt looking for his dear Jane Doe, and they probably slit his throat and tossed him in the river. With concrete boots.

The ace was up Sebastian’s sleeve, not Mancini’s. The defendant was entitled to a speedy trial, so speedy that if he so chose he could force the State to pick a jury 120 days after indictment. That was twelve months ago, and Sebastian had agreed to a few continuances because he needed the extra time. Now, though, he was ready and he wanted a trial.

For a while Sebastian had toyed with the idea of agreeing with Mancini. There was a strategic reason for wanting Knoxel on the stand. If Sebastian could humiliate him, expose his lies and infidelities, he could crush the State’s case. Ripping Knoxel in front of the jury, and for the benefit of the front page, would be an intense, dramatic moment, and Sebastian hated to miss it. In the end, though, he convinced himself that his client’s defense was far better off with Knoxel out of the picture.

Sebastian suspected there was yet another factor in play, though it was not mentioned. When he read the affidavits of John and Jane Doe, Judge Schofield was skeptical of Knoxel’s version of events. It seemed unlikely that the two witnesses, one a hooker and one a crackhead, could tell the same basic story. In his thirty years on the bench, Schofield had heard plenty of false testimony by the police and was wary of them on the witness stand. He found Knoxel’s narrative a bit too convenient, too pat. Buck Lester fired four shots, then somehow dropped his gun, giving a wounded Thomas Cardell a split second to shoot him in the head.

Schofield’s doubts led to his ruling that Jane and John could testify.

The lawyers argued and the judge listened but did not change his plans. No more continuances.

18.

Jury selection took seven days, and when number twelve was finally sworn in, the box was filled with eight whites, three blacks, and one Hispanic; six men, six women; average age was forty-eight.

Tee Ray whispered to his lawyer, “We got ’em, boss.”

Sebastian said nothing but felt the same way.

As Max Mancini strutted to the podium for his opening statement, Sebastian studied the faces of the jurors. He knew their kids’ names, where they went to church, if at all, which ones had been through a divorce, where they lived and worked, the makes and models of all their vehicles, who had sued or been sued, who had been fired, who had been arrested, and so on. And after memorizing their faces and their backgrounds, and studying them for seven days, he felt like he’d known them forever.

And the trial was just starting.

Tee Ray knew them too. He had copies of everything his lawyers had. He’d kept his sanity for eleven months in solitary confinement by reading case law, code sections, heavy books on trial strategies, anything and everything Sebastian could haul in. And now that he was finally in court, he was determined to miss nothing. During the tedium of jury selection, he had filled dozens of legal pads with his copious note taking. He owned one suit, dark gray, one white shirt, and two striped ties, and with his new horn-rimmed glasses—fake but effective—he could easily pass for another lawyer. Sebastian had lectured him on how to act during all aspects of the trial: no emotions, no reactions, no head shaking at bogus testimony, no eye contact with jurors, no frustration with the judge, no animosity toward

Mancini. Sit erect, proper, concerned, respectful, and hear every word. Write down as much as humanly possible.

To his left was Sebastian. To his right, in the “second chair,” was a young lawyer named Will Kendall, a rookie from the public defender’s office who’d volunteered just for the experience. The rules of procedure required two lawyers for the defense in a capital murder trial. Kendall was excited to be included but knew his duties were quite limited.

Sebastian had realized that the smartest guy at the table might well be the defendant himself. Tee Ray had said more than once that he’d fallen in love with the law. If he managed to dodge death row, he might dream of law school.

Let’s take it one step at a time, Sebastian said.

In the biggest trial of his career as the city’s chief prosecutor, Max was well prepared. Not a gifted courtroom orator, he nonetheless kept the jury’s attention. He stayed behind the podium, close to the notes on his legal pad.

Max played his best hand—outrage at the death of such a brave young policeman. He told the jury wonderful things about Buck Lester, then awful things about the dangers of his job. Aren’t we lucky as a city to have officers willing to go undercover and go into the darkest and most dangerous streets?

Predictably, he beat that drum a bit too long and a couple of jurors began looking around. If Knoxel were upstairs in the witness room waiting to testify, Max would have the luxury of narrating a gripping account of the killing. Buck on his knees, grabbing for his gun as the killer approached, with bullets flying, and so on. But Knoxel had vanished, and Max had no other eyewitnesses. Therefore, in his opening statement, he was handcuffed by what he could actually prove. Thomas Ray Cardell fired the shot that killed Buck Lester; he had admitted as much. The defendant will claim it was in self-defense, but please, ladies and gentlemen of the

jury, be wary of such testimony. The defendant is on trial for his life.

When Max finally sat down, the jurors and spectators were more than ready for him to do so. Sebastian stood and informed the court that he was opting to deliver his opening statement at the beginning of the defense's portion of the trial. It was an unusual move but not unheard of. If the prosecution had an airtight case, Sebastian would attack early, in his opening, and warn the jurors about what was coming. But the prosecution's case was not that strong. He decided to hear it first and ridicule it later.

As Sebastian sat down, he glanced at the crowded courtroom. Jameel and Miss Luella were in the first row directly behind him. Across the aisle, in the front row behind the prosecution, the city's police chief and half a dozen of his finest were packed shoulder to shoulder, in full uniform, watching the jurors and frowning gravely. It was a part of their playbook when a cop was involved, and it was nothing but intimidation. Judge Schofield knew it too, but there *was* a dead officer. If his comrades wanted to sit through the trial, they had that right.

The first witness was Melody Lester, Buck's widow. When he died, they had been married for twenty months and had no children. With Max lobbing up easy questions, she began crying almost immediately as she described what a wonderful person her husband had been. Schofield allowed them to go all the way back to Buck's high school days, to his glorious athletic career, then the Marines and the wars, his medals and heroics.

Max worked deliberately, trying to build as much sympathy as possible. Sebastian offered nothing on cross-examination. Melody was still in tears when she left the box. Next was Buck's mother, and another round of crying.

Almost all of this nonsense was irrelevant and inadmissible. Buck's glorious past had nothing to do with his

tragic death. Nevertheless, one or two grieving relatives were always admitted to open a trial and warm up the jury.

19.

During the lunch break, Mancini asked Sebastian to step aside for a word. He whispered, “I don’t like this jury. We’ll offer a deal.”

“I’m listening,” Sebastian said.

“Plea to first degree, we’ll drop the death penalty.”

“Great. So my guy will spend the next forty years in prison.”

“Does he want the death penalty?”

“No, but he’d rather get the needle than forty years.”

“Are you saying no?”

“I can’t do that. I’ll run it by him, but I’m sure he’ll say no.”

Tee Ray said no quickly. They were eating sandwiches at the defense table, along with Will Kendall, and prepping for the afternoon. The courtroom was empty except for two armed deputies lounging in the back row. Their job was to keep an eye on the defendant, but after hauling him back and forth between the jail and the courthouse for days now, they knew they had little to worry about.

20.

The medical examiner, Dr. Glover, took the stand and swore to tell the truth. Sebastian conceded that he was an expert in forensic pathology. Glover had been doing this for years and had a solid reputation. He and Max wasted no time getting to the gore. As Max handed the jurors enlarged color photos of Buck's head, Glover talked about the autopsy. A single bullet entered through the right eye socket, fatally damaging the brain, lodging there and making no exit. They had a large photo of the bullet and one of Buck on the sidewalk. Buck on the slab. Buck's cranium cut open. The female jurors turned away. The men couldn't get enough. It was like watching a car wreck: awful, but compelling.

Glover was a seasoned expert, and Sebastian knew he had little to work with on cross. He asked the doctor if it was possible to determine the angle at which the bullet entered Buck's right eye socket. The answer was no, because he, Glover, did not know if Buck had been standing, kneeling, falling, sitting, or lying down when he got hit. Nor was there any evidence as to the position of Mr. Cardell when he fired the shot.

Perfect. Sebastian was trying to put to rest the original lie that Buck Lester had been executed as he begged for his life. This had been leaked by the police right after the shooting and became another front-page story. Not even Keith Knoxel, in his fabricated version, had included the bit about Buck on his knees, pleading.

Sebastian asked Dr. Glover if it was possible to determine the distance between the .38-caliber pistol when it fired the fatal shot and the bullet's point of impact. The answer was

no; not without additional facts. Any guess would only be speculation.

Thank you, Dr. Glover.

The first officer on the scene—actually the second after Keith Knoxel—was Nat Rooker. He and his partner had been in their car near the Flea Market when they heard the frantic call from Keith Knoxel. Rooker described the scene for the jury: the body of Buck Lester lying on the sidewalk, the blood, his fading pulse, the defendant also on the ground, bleeding from an arm wound. A large screen was set up in the courtroom, in front of the jury, and Max walked Rooker through every inch of the crime scene.

Interesting but also tedious. Sebastian watched the jurors. They were fascinated at first, but Max and Rooker soon bored them. No detail was too small for the prosecutor to hammer on. Nothing was in dispute here. It had been a gunfight; both men had been hit.

After Buck and the defendant were taken away, Rooker and his partner helped the crime scene technicians scour the area. They found two spent casings from the .38. They found four from Buck’s Beretta.

By 5:30 everyone was exhausted, and Schofield adjourned until nine the following morning, a Thursday. They had spent seven days picking the jury and now one day of testimony. When the jurors were gone and the crowd was filing out, the deputies handcuffed Tee Ray and led him away. Sebastian spent a few minutes with Jameel and Miss Luella, seated as always in the front row, as close to the defense table as possible.

He assured them that it had been a good day. No surprises, yet.

21.

The detective assigned to the case was Landy Reardon, from Homicide. A veteran with a fine reputation, Reardon had spent years on the streets and many hours on the witness stand. He was sworn in Thursday morning, and he and Max began slowly plowing through the exhibits. The Beretta owned by Buck was shown to the jury and admitted into evidence, followed by the .38 used by Tee Ray. The six shell casings were next, one at a time. Photos of each were introduced. Only three of the four bullets from the Beretta were recovered by the technicians, and these were methodically produced, discussed, shown to the jury, and admitted. The first shot fired from Tee Ray's .38 was never found. The second, the one extracted from Buck's brain during the autopsy, was mounted in a plastic case and handed to the jurors. They gawked at it as they quickly passed it along.

Max was in no hurry. He slowly took each exhibit, discussed it with Reardon, offered it as evidence, got it admitted, then made a production of showing it to the jury.

Without the statement Tee Ray gave the police, crime scene ballistics would have taken two days, as experts would have tried to prove who shot what and where the bullets landed. Detective Reardon explained to the jury that late on the afternoon after the killing, Mr. Cardell was brought from the hospital to the Central Police Station. He agreed to answer some questions. He waived his Miranda rights and said he knew what he was doing. The screen appeared again and the courtroom lights were dimmed.

The video began. Tee Ray was sitting at a table, his left elbow covered with gauze and tape. There was a small

bandage on his chin, another on his forehead. He was alert, coherent, and said he was not under the influence of medication.

Reardon, off camera but loud and clear, went through the preliminaries. Date, time, place, full agreement to make a statement, waiver of the right to remain silent.

Reardon said, “Tell me what happened last night.”

Tee Ray shifted his weight, grimaced as he touched his left elbow, then shrugged and began. He told his story without interruption. While he was on his knees, in full compliance, the officer began firing. The first shot hit the sidewalk in front of Tee Ray. He touched both bandages on his face where the flecks of concrete struck him. The second shot grazed the shoulder of his coat. The third hit his elbow. He kept screaming for the cop not to shoot. When he got hit, he fell, scrambled, and tried to get under a parked car. The fourth shot hit the car. To save his life, he managed to yank out his gun and fire two shots. There was no other cop around during the shooting, but one appeared just afterward.

Reardon: So you admit shooting the officer?

Cardell: In self-defense. He shot at me four times while I was on my knees with my hands up. It was pretty obvious he was going to kill me.

Reardon: What were you doing on that street at that time of the night?

Cardell: I live there. I can walk down any street anytime I want.

Reardon: Were you moving drugs into the Flea Market?

Cardell: I’m not answering that. At this point, I ain’t talking no more and I want a lawyer.

Reardon: Just a couple more questions.

Cardell: No, sir. I’m done. Nothing else. I want a lawyer.

Reardon: Where did you get the gun?

Cardell: I have the right to remain silent.

Reardon: Do you know a crack dealer by the street name of Tox?

Cardell: I have the right to remain silent. A lawyer, please.

The screen went black. The video was over.

The lights came on and the screen was removed. Judge Schofield said it was time for lunch.

22.

Sebastian began the afternoon session by asking Reardon if he had a copy of the defendant's hospital records. He did not, so Sebastian produced the records and asked Reardon to quickly scan them. He pointed out certain sections, then forced Reardon to admit that the tests performed on Mr. Cardell's blood revealed no trace of alcohol or narcotics, prescription or otherwise, when he was rushed into the ER with a gunshot wound.

Sebastian asked what kind of rap sheet the police had on Mr. Cardell.

Nothing. No convictions. No arrests.

"Not even a speeding ticket?" Sebastian asked, astonished.

Reardon shook his head. No.

23.

By 3:00 p.m. Thursday, the second day of testimony, the State had offered virtually all the proof it had. Buck Lester had been shot and killed by a single bullet, one fired by the defendant, Thomas Ray Cardell. It was still unclear who shot first, last, and for what reason or reasons. Indeed, the only clue as to what happened during the encounter was provided by the defendant himself in his brief video statement.

The only way to prove Cardell was guilty of murder was through the testimony of the missing witness, Officer Keith Knoxel. During his investigation, Detective Reardon had interrogated Knoxel at length and, as was his practice, had recorded Knoxel's version in an affidavit—a sworn statement. It had been typed by a police stenographer and notarized by a police administrator.

The affidavit was not admissible in a court of law because (1) the witness was not available to verify it and (2) the defendant, through his attorney, had not been present to confront and cross-examine the witness.

Max Mancini, desperate at this point, attempted to enter the affidavit into the record. Sebastian objected. During a recess, they argued back and forth in Judge Schofield's chambers. Judge Schofield said no, it's not admissible.

The State had no choice but to rest its case. The jury was sent home for the day. Back in chambers, Sebastian went through the standard ritual of moving to exclude the evidence offered by the State and asking the court to direct a verdict of not guilty in favor of Thomas Ray Cardell.

Judge Schofield declined because the defendant admitted firing the shot that killed Buck Lester. "We'll let the jury

figure it out,” he said.

24.

Early Friday morning, the judge said hello to his jury and then explained that the defendant’s lawyer would now be allowed to make some opening remarks. Nothing the jury was about to hear was evidence; that came only from the witnesses.

Sebastian casually walked to the podium, offered a rare smile, and began, “There are two eyewitnesses, and you’re about to hear from both of them. One you might expect, because my client, Thomas Ray, wants to take the stand and tell what happened. He’s not afraid to face the prosecutor, his accuser. He’s not afraid to face anyone, because he acted in self-defense. This tragedy didn’t have to happen, and he will describe to you why and how it did happen. The other witness is a surprise. We didn’t know he existed until last week when he came forward. It takes a lot of courage to do what he’s about to do, and I think you’ll find his testimony compelling, and truthful.

“My client acted in self-defense, and now we’re going to prove it.”

He smiled again and sat down.

Judge Schofield told the jury he was about to do something he’d never done before. Not in his thirty years on the bench had he cleared the courtroom of all spectators. He would explain after they were gone. The bailiffs jumped into action and every member of the audience was shown the door. They were all confused; some were angry. The judge didn’t care. He excused everyone else who was not essential—extra clerks, nosy lawyers, even a janitor.

When the courtroom was secure, he told the jury that they were about to hear the testimony of a witness whose

identity needed to be protected. Protected from whom, he didn’t say. He nodded to a bailiff, and from a side door a young man was led into the courtroom. He wore a baseball cap pulled low on his forehead, large sunglasses, and a turtleneck sweater that appeared to be choking him. It would not have been humanly possible to appear any more nervous. The bailiff showed him the witness stand.

Judge Schofield said, “This witness will be known as Joe. That’s not his real name but it will do for now. I know his identity and I will enter it into the court record at a later date. Joe, please take your seat and be sworn in.”

Joe promised to tell the truth. Sebastian began with a few easy questions in an effort to calm the kid, but his twitching was relentless. Hiding behind the sunglasses, he first gave the impression of a witness who could never be trusted. Gradually, though, he settled down somewhat. He told his story, giving short answers to short questions. He and a friend were in Little Angola, where they had bought some crack earlier in the evening. His friend was driving, and drinking, and at one point Joe suggested they stop the car for their own safety. They parked on the street, Crump Street, and were listening to music, smoking crack, having a good time. The friend fell asleep. Joe was high but not as stoned as his friend. He saw the black man in a long brown coat walk by on the sidewalk and heard loud voices. The man fell to his knees, raised his hands as high as possible, and the other guy came into view. He was yelling and holding a pistol with both hands. While the black guy was on his knees, the white guy began firing, loud, booming shots that came quickly. The black guy screamed and the white guy yelled and Joe couldn’t believe what he was seeing. The black guy yelled “Shit!” when he got hit and grabbed his left arm. He began rolling toward another car that was parked in front of them. He grabbed something under his coat, yanked out a pistol, and fired two shots. The second one hit the

white guy, who instantly grabbed his face and fell down. Within seconds, another white guy, one wearing jeans and a cap, jumped onto the sidewalk and began yelling at the black guy. He had a gun and for a second it looked as though he wanted to start shooting. When the gunfire stopped, Joe slid down even lower in his seat. He saw blue lights. His friend never woke up and missed it all. Everything happened so fast.

Sebastian paused and walked over to his table to allow the testimony to sink in. The jurors were mesmerized.

“Where do you work?” he asked.

“I’m a college student.”

“Thank you, Joe. Nothing further.”

Mancini bounced to his feet and roared, “Tell us, Joe, how long have you smoked crack?”

A shrug. “Maybe five years.”

“So you have a history of using drugs?”

“Yes, sir.”

“Any other drugs?”

“Yes, sir.”

“Which ones in particular?”

“I’ve tried everything. I have a problem, okay? It’s not something I’m proud of.”

Mancini struck gold when he asked about rehab. Slowly, he managed to extract the details about Joe’s rather incredible history of addiction and treatment. Joe withheld nothing and detailed everything he could remember. Again he admitted, “I have a problem, okay? I’m trying to get clean, but that doesn’t mean I’m not telling the truth.”

“How can you know the truth if you’d been smoking crack all night?”

“I wasn’t stoned, like my friend. I had not been drinking. I was high all right, but I know what I saw.”

Mancini harangued the kid on the differences between “stoned” and “high” but gained little. Joe’s honesty about his problems was disarming. He admitted more than once that he was an addict, but addicts can still see and hear. They can function. He was taking classes and making decent grades.

Mancini began repeating himself and gradually realized he was getting nowhere. He tossed his legal pad on his table in frustration and sat down. Judge Schofield allowed Joe to quickly exit through the same door he’d entered by. They adjourned early for lunch.

25.

The courtroom was packed as Thomas Ray Cardell took the stand. Sebastian began with easy questions—family, education, work—and gradually got around to his life in Little Angola. His world revolved around his son, Jameel, and he had been struggling to survive and keep the kid in school and out of trouble. Life on the streets was tough, with so many ways to get into trouble.

His confrontation with Buck Lester lasted only a few seconds, but it took an hour to tell the story. The courtroom was silent as Tee Ray slowly and calmly told what happened. He looked the jurors in the eyes, gave them the truth, and believed they heard him. He had practiced for so long, walking around his cell, anticipating questions, smoothing out the wrinkles in his answers.

Joe, a kid in the wrong place at the wrong time, had spoken the truth. He saw it all, just as it happened.

Max Mancini sparred for another hour but could not shake the witness.

With two hours to go, Judge Schofield decided to finish. It was, after all, Friday afternoon, and the alternative was to come back Saturday morning for the jury to deliberate. He believed they would not take long. As did Sebastian.

In his closing argument, Mancini mocked the defense witnesses. One, a crackhead whose brain was fried and shouldn’t be believed. The other, a man fighting for his life who would say anything to avoid death row. But he had no clear proof of his own.

Sebastian reminded the jury of this. It takes far more than the State offered to convict a man of capital murder.

26.

At 6:05 the jury returned a verdict of not guilty. Thomas Ray Cardell was a free man again, after twelve months in solitary confinement. He hugged Jameel and wept with his mother. They huddled with Sebastian in a corner of the courtroom and waited for all the cops to finally leave. The reporters were waiting outside and Sebastian needed to chat with them.

When he and his client walked out of the Old Courthouse, they raised their hands together as a small crowd cheered. Across the street, a line of cops watched them. Later, they sped away in Sebastian's car and headed for a bar in the suburbs. They drank a beer in celebration and relief. Neither had an appetite.

"What's next, Tee Ray?" Sebastian said. They had been so focused on the trial they had given no thought to what came next.

"Next is a new name. Tee Ray sounds like something from the streets, don't you think?"

"Thomas, then?"

"I'll have to think about it. You know, Sebastian, we make a pretty good team. What if I get a job working in your firm, take classes at night, finally get to law school and make myself a lawyer? Then we could be real partners."

"I didn't realize I was hiring."

"I got nowhere else to go, plus I'm fascinated with the law. Surely you can use a bright guy like me around the firm. I can do research, investigate, hustle clients, whatever you need."

Sebastian chuckled, raised his glass, and said, “Deal. Here’s to my new partner.”

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