

AMAZON ORIGINAL STORIES

JEFFERY DEAVER

NEW YORK TIMES BESTSELLING AUTHOR



EXECUTION DAY

THE BROKEN DOLL

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This is a work of fiction. Names, characters, organizations, places, events, and incidents are either products of the author's imagination or are used fictitiously. Otherwise, any resemblance to actual persons, living or dead, is purely coincidental.

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AUTHOR'S NOTE

The Broken Doll is a collection of four short stories that recount a harrowing few weeks in the lives of a half dozen characters in the rural Midwest. The stories can be read individually—each has a beginning, middle and end—but they also interlock; some plotlines jump from one story to another, and so do some of the characters (to the extent they survive, of course!). Because the narrative moves back and forth in time, I thought it might be helpful to show at the beginning of each story where each of the stories falls on the calendar, and the duration of each.

APRIL						
SUN	MON	TUE	WED	THU	FRI	SAT
						1
2	3	4	5	6	7	8
			Dodge			
		Execution Day				
9	10	11	12	13	14	15
16	17	18	19	20	21	22
				The Pain Hunter		
				Sixty-One Seconds		
23	24	25	26	27	28	29
30	31					

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Tuesday, April 4

Ten minutes until the battle resumed.

This was how he thought of each day of the cases he prosecuted: as battles. The trial itself was the war.

And his opponents, enemies.

The past few days and all this morning of *People v. Ross* had been like preliminary artillery shelling to soften up the foe. Skirmishes, like the one at Littlestown, Pennsylvania, on a stifling summer day, 1863.

And then—this afternoon—would be the big push, D-Day, the Battle of the Bulge.

Or in Evan Quill's present metaphor, Gettysburg.

Today he was going to drop his bombshell.

He was sitting at the prosecution table—the one to the right when facing the judge—in elegant but frayed-at-the-edges Vandalia County Courtroom 3A, the judicial showpiece in an ornate redbrick building, downtown Hopewell, Illinois.

The trim thirty-five-year-old DA finger-smoothed his dark hair, which left it as unruly as before.

He looked around the courtroom—the same way, he reflected, Meade and Lee regarded the flat field just before Union and Rebs clashed.

Quill was just as possessed with achieving victory here, as convinced he was on the right side of justice as they were.

Yes, a criminal trial was about delivering justice for past crimes—the murder of Deputy Cynthia Hooper, in this instance. All to the good. But for Quill, it had another—in fact, a more vital—purpose: to keep guilty defendants from doing *future* harm. He occasionally thought how much blood the country could have been spared if Meade had not let Lee march off after his defeat.

Steven Ross had to be put away for the crime. He had to be put away so he could never hurt anyone again.

Quill found his palms sweating, heart thudding in anticipation.

To his left sat Assistant Prosecutor Sally Burke, twenty-nine.

The two were lawyerly dressed. She was in a navy skirted suit and light-blue blouse. Her trademark pearls, around her neck. For Quill, today was a gray day. He owned three suits—wearing them only in court—and he circulated them. This one, a two-piece, was charcoal. His shirt was white and tie burgundy—politically neutral. Occasionally members of the jury, he'd learned, grew distracted thinking about the prosecutor's and defense counsel's party affiliations.

The suit bore wrinkles and the cuffs of his shirt were growing hairs, on the way to fraying. All part of the cultivated image. No jewelry or accessories, like tie clips or pocket squares. The jury did not like ostentation.

Everything about Quill personally and about his practice of law was ordered and organized compulsively, including the way he prepared for and ran trials. But as for appearance at those battles, he joked that "a little disorder was in order." The files on the prosecution table were askew, the pleading document and exhibits piled high and sloppily. Quill sacrificed the irritation this caused for the satisfaction of knowing that jurors liked a bit of human in the lawyers. Clutter made friends.

He rummaged briefly, then realized the document he sought was not on the table.

"Let me see the summary."

Burke hefted a heavy litigation bag easily to the table. She and her husband played Ultimate Frisbee and she was built exactly like someone would be . . . if they played extreme Frisbee. If Quill benefited from his only sport, he derived serenity, not musculature; most Sundays would find him wading in streams, armed with a whipsawing fly rod.

She found the document he'd asked for, the scorecard, you might say, of the contest so far. She slid it toward Quill and he read.

People v. Ross

Prosecution's case and Defense's response as of 12:00 p.m., April 4

Prosecution: The victim's blood, soil trace from the crime scene and drug trace from the stolen narcotics were found in defendant's truck.

Rebuttal: Defendant did not take the stand but stated in pre-arrest interview with a deputy that he had seen the body from the road well after the murder and had run up to victim to see if he could help, thus picking up the trace evidence.

Prosecution: Defendant's truck was spotted on traffic cam in the town of Garth at 3:37 p.m. on the day of the murder, March 13. From that intersection it is a 35-minute drive down Route 44 to the murder site on Old Bennett Road in normal traffic, and deputies reported traffic was typical around that time of day. The victim's time of death was 4:46 so the defendant could easily have been at the scene before she was killed.

Rebuttal: Defendant stated that he had a flat tire a mile south of Garth and when he finished repairing it, the time was 4:35–4:40. He could not have driven to the scene in time for the murder.

Prosecution: Defendant attempted to clean the deputy's blood from his truck.

Rebuttal: Defendant stated he was worried that the sight of blood would upset his wife and son.

Prosecution: He didn't report the crime.

Rebuttal: Defendant stated prior to arrest he didn't do so for fear the killers would learn, and Defendant and his family would be at risk.

Prosecution: Despite his claim that he touched Cynthia Hooper's neck for a pulse, there was no fingerprint found.

Rebuttal: It is not always possible to raise latent fingerprints on flesh.

Prosecution: The dashcam on the deputy's cruiser recorded the three men who had stolen the drug van and murdered her. The ringleader of the heist, Paul Offenbach, was clearly visible and was holding a bloody razor knife—matching the weapon used on Deputy Hooper. Only the shoulder and arm of the second perp were visible. As for the third, the view—from the back—was of someone about Ross's height and with similar hair color. He was wearing a dark windbreaker and jeans and a navy baseball cap. Jeans of a similar shade were found in defendant's home.

Rebuttal: The partial image in the video only superficially matched the defendant. As for the jeans: 450 million pairs of jeans are sold in the US every year and the shade worn by the man in the screenshot, dark blue, is the most common. No windbreaker or baseball cap were found.

Prosecution: A panhandler testified that he had seen the Defendant's truck leaving the scene around the time of the victim's death.

Rebuttal: The witness had no watch or phone and estimated the time based on the flow of traffic along the highway where he was panhandling. He is also an alcoholic and had been drinking at the time he allegedly made the sighting.

Prosecution: Defendant set up a bitcoin wallet one week before the robbery, suspicious for a man who had never used crypto.

Rebuttal: The balance amounted to about \$250. Three and a half million Americans have cryptocurrency accounts.

Prosecution: Defendant left his phone, turned on, at home on the afternoon of March 13 when he drove to Garth. The implication was that he did this so there was no proof of his whereabouts.

Rebuttal: [None. Defendant stopped his pre-arrest interview and said nothing more to the interviewing deputy.]

As of this afternoon, Evan Quill assessed the prosecution had won six, possibly seven, of the conflict's battles, to the defense's five.

This was a preponderance of the evidence.

But as anyone with a subscription to cable TV and a few free hours at prime time knows, that's not enough. In a criminal case, guilt must be proven beyond a reasonable doubt in order to convict.

Given that the trial was winding down, Quill needed a tactical nuke to tip the balance.

And one was about to be dropped.

"Bombshell," he said absently to Burke. "Always wondered about that word. Is it a bomb, like what they drop from airplanes? Or is it a shell like from a cannon? Shouldn't it be one or the other?"

"You think about that much?"

He gave her a wink. The compulsive drive to obliterate your enemy and humor are not mutually exclusive, at least not within Evan Quill.

Now, five minutes until battle.

His general's eyes scanned others present in 3A.

In the front row of the gallery, left side facing the judge, was Ross's family. His mother, his wife, a son of about sixteen. Several others, maybe friends or further-afield relatives.

The mother was in a somber gray dress, about the same shade as Quill's suit. Her hair was frothed up in an old-timey way. His wife, Cheryl, had an angular, attractive face, though the complexion was mottled; she'd never tried to hide the ruddiness with makeup. Her hair was done in a tight ponytail. The slim woman's attire was a tan dress, with a scoop neck. The teenage boy was in chino slacks, a white shirt without tie and a blue blazer. Short hair, dark, trimmed neatly. He was skinny. To Quill's knowledge he'd never smiled in the courtroom, but then why would he?

The wife and the mother now gripped hands, lowered their heads and prayed, as defendant Ross himself did from time to time. The women wore gold or silver crosses on thin chains. Ross's mother was usually armed with a Bible. Being righteous did not obviate guilt, of course. Quill remembered driving through a fundamentalist portion of the state and, since it was the only station he could get, tuned into a resonant, Bible-thumping preacher. Half of those who called in seeking listeners' prayers were hoping for reduced sentences or early release of a loved one.

The family of the victim was here too, front row on the prosecution side, behind Quill and Burke: Cynthia Hooper's mother and aunt. Like the defendant's family, they too had friends and relatives with them sporadically. Today, it was one of Cynthia's coworkers, a young woman in a Vandalia County Sheriff's Department uniform.

Quill liked that she was present, a reminder that a dedicated civil servant had lost her life in the line of duty.

At the defendant's table, which *was* organized, and severely, sat the defense attorney. The six-foot, two-hundred-pound Martin Gaine was a broad-shouldered man, with a head of enviable salt-and-pepper hair. Today he was in a sharply fitted navy-blue suit—one of many more than three, Quill was sure—and a white shirt and black and red striped tie, nothing frayed about a single square inch of cloth. His shoes, black wingtips, shot flairs from the overhead lights. No pocket square but his shirt cuffs were

studded with gold links that seemed to be in the shape of rope knots. Quill did not think the jury would view them with disdain. He rather liked them himself.

Gaine was a showman and a damn good lawyer and a man whom Evan Quill disliked intensely.

On one side of Gaine were his young dark-suited clones of associates—two men and a woman.

On the other: the defendant.

Steven Ross's blond hair was trim, his face clean-shaven. He was long-legged, and those limbs were thin. His tan suit fit well. Gaine's crew was responsible for making him presentable for trial. Quill had seen them in the lawyer's interview room, not only discussing the case but hovering like hair and makeup staff prepping a talking head for a CNN appearance. When arrested he'd been wearing a work shirt and jeans and Adidas—all stained—and his hair had been longer.

He'd dressed up for court, while Quill had dressed down.

In litigation, image is, if not everything, call it 90 percent.

He resembled any churchgoing, working-class husband and father in this portion of the no-nonsense Midwest. He did not have a killer's face, one reporter had offered, without describing exactly what that might be.

Quill glanced down again at the papers before him. He was riled that there were two items he had tried to get admitted into evidence but had been rejected. One was a horrific recording that Offenbach had made of Cynthia's screams and sent as a warning to Constant Marlowe, the state investigative agent searching for him. There was a fragment of another man's voice in the background and an audio expert said it might be Ross's. The judge, however, had ruled it too prejudicial to go into evidence.

The other disallowed item was what he now stared at.

A color photograph.

The thirty-one-year-old woman is smiling at the camera and appears bashful. Her brunette hair is pulled back tightly and ends behind her head in either a ponytail or bun. The photo crop is from the waist up and she is in a gray uniform blouse. It is the swearing-in ceremony for the Vandalia County Sheriff's Department.

Cynthia Logan Hooper is now officially a deputy.

Cheeks and mouth are demure but eyes blaze with pride.

A controversy exists about introducing photos of the victims while they were alive. There really isn't much legal need—they used to be admitted for identification purposes but now DNA and fingerprints and medical examiner testimony are foolproof.

Defense counsel have claimed, with much success, that they are prejudicial.

Maybe, but Quill really wanted to let the jury see exactly who the alleged defendant deleted from this magnificent world.

He continued to look down.

Cynthia Logan Hooper . . .

A woman who was the linchpin in planning and pulling off family get-togethers.

A woman who from landlocked northern Illinois fell in love with surfing on a vacation to San Diego.

A woman who outshot every fellow classmate on the handgun range.

A woman who had made the decision to break into a sex trafficker's home by herself because a tactical team's delayed response irked her no end.

A woman who hoped to be married within the next few years.

A woman who hoped to be a mother.

Now another door opened in the back of the courtroom and the chief bailiff, a large man with mahogany-shaded skin and a shaved head, entered. He paused a moment, looking over his realm, then uttered the magical incantation.

“All rise. Criminal court of Vandalia County is once again in session, the Honorable James P. McInnes presiding.”

Bombshell time.



In his sturdy, projecting baritone, Evan Quill said, “The prosecution calls to the stand Deputy Sheriff Richard Tamblyn.”

The chief bailiff stepped outside.

Quill rose and walked to a spot in front of the lectern. He never used it; he didn't want anything between him and the witness or the jury.

He walked slowly, slightly stooped. To stand tall was painful; he'd had a back injury a few years ago, when fly-fishing proved to be a more dangerous sport than it seemed and he slipped and went down on a jutting rock. The stoop and accompanying limp could be suppressed, if he chose, but he believed that they added to his small-town image—a prosecutor's version of Atticus Finch—and he couldn't help but accentuate them, believing that, like the table clutter, they connected him further to the jury.

Ah, the jury . . .

He now nodded a pleasant greeting to the dozen sitting jurors and two alternates, seven men and seven women, the even split a coincidence. Eight white, six of color: Black, Latino, South Asian. Their clothing ranged from casual to business. The occasional tie made an appearance—to some, Quill knew, civic duty required formality. There were no flashy actors on this panel. Jewelry was limited to wedding bands and class and military rings and necklaces embracing a cross or a locket in which were miniature pictures of children or long-gone relatives. No one wore glasses with bold frames.

Quill glanced at the defense lawyer, whose expression was stoic but underneath he was fuming at the impending bombshell.

This gave the prosecutor no small pleasure.

The reason for Quill's dislike of the slick Chicago lawyer was simple: he was known for getting off truly despicable people—mob bosses, child molesters, murderous husbands and wives, terrorists. People who were undoubtedly guilty. And he did this with shocking frequency.

He violated Quill's Second Commandment of Justice: he put bad people back into society to continue to do bad things.

Quill initially wondered how Ross, who'd never been to college and ran a small company, could afford a \$900-an-hour attorney. The bill for the trial could hit \$150K. Then wonderful Sally Burke, the research queen, had discovered the probable answer: the Ross family's religious faith. According to their Facebook page, they were affiliated with the Brethren Church of Our Jesus Christ. It was a megachurch based in Texas, with a budget of tens of millions a year. She'd found articles reporting that sometimes the church—quietly, of course—paid for attorneys to represent parishioners accused of behaving in decidedly un-Christian ways.

Defense Attorney Gaine's irritation was because Quill's bombshell, a surprise to the jury, would not be a surprise to Gaine. Rule 412 of trial

procedure in Illinois requires the state to provide the defense a list of witnesses and a summary of their testimony. The prosecutor knew how far Quill's shock wave would travel.

Now, into the courtroom walked Quill's witness, a large man of about forty, also dark complected, with coily black hair about an inch long. He was sworn in and took his seat. He sat up straight and pulled the microphone toward his mouth. Law enforcers spend nearly as much time in court as in the field and know the testimony drill.

"Deputy Tamblyn, you are with the Vandalia County Sheriff's Department, is that correct?"

"Yessir."

"And what is your connection to the case of *People v. Ross*?"

"I assisted Detectives Jenkins and Williams, who were the lead investigators in the case."

"Are you familiar with the defendant's statement read into evidence that he was driving his six-year-old blue Chevrolet Silverado pickup truck, license number HKG234, on the afternoon of March 13, and that he drove no other vehicle that day?"

"I am."

"Are you further familiar with his statement read into evidence that he was fixing a flat tire on that truck on Route 44 one mile south of Garth from around three forty-five to four thirty p.m. on March 13?"

"I am, yes."

"And are you also familiar with his statement to Detective Jenkins that because he was fixing that tire he did not arrive at the spot on Old Bennett Road where Deputy Cynthia Hooper was murdered until five fifteen or later? Approximately thirty-five minutes after she was killed."

"I am, sir."

"Now, Deputy, did you have occasion to examine the defendant's truck after the murder of Deputy Hooper?"

"I did."

"And where and when was that?"

"In a public parking lot at the intersection of Mercer and Oakton Streets in Hopewell. The vehicle was parked outside the True Value hardware store. It was on the afternoon of March 16."

"And are you positive it was his truck?"

“Yessir. It was a six-year-old blue Chevrolet Silverado, license number HKG234.”

“Based on your observations about the defendant’s truck, what is your opinion about his changing the tire on the vehicle on March 13?”

“Objection.” Gaine rose and leaned forward, his go-to pose for addressing the court. It was both respectful and challenging. “The witness is a law enforcement officer, not an automotive expert.”

“If I may, Your Honor?”

“Proceed, Mr. Quill, if you can establish.”

“Deputy Tamblyn, *do* you have any automotive vehicle experience?”

“Yessir.”

“And what would that expertise be?”

“I am in charge of the Vandalia County Sheriff’s Department T.A.I., the traffic accident investigation team. I maintain the department’s vehicle paint and tire tread database too. I also advise the department on vehicles to purchase and what maintenance and repairs should be performed. And I do stock car racing on the weekends.”

“How many tires would you say you’ve changed in your lifetime?”

“About seven hundred.”

“You may answer, Deputy,” the judge said.

Gaine sighed and sat down. Steven Ross leaned closer and spoke to him, then returned to staring at the floor in front of the judge.

Quill repeated the question.

The deputy replied, “The defendant could not have changed a tire on that vehicle on that date.”

“What’s the basis of your opinion?”

“All the tires mounted on the truck were the same brand and showed identical wear. The spare was a different brand and was still up under the bed. And the lug nuts were rusted to the wheels. None of them had been removed for months, maybe longer.”

Quill continued, “Deputy Tamblyn, are you familiar with the stretch of Route 44 that runs north and south between the town of Garth and the intersection at Old Bennett Road?”

“I am. I’ve investigated a number of accidents along that portion of the highway, and I drive that way personally every weekend to take my son to the pool in Garth for swim practice.”

“Based on your knowledge of that stretch of Route 44, if someone were in Garth at 3:37 p.m. and drove straight to the site of Deputy Hooper’s murder on Old Bennett Road, would it be possible for that person to arrive at that spot before she was attacked?”

Cloaked as a hypothetical, Gaine could not object.

“That is correct, sir. He would have plenty of time.”

“No further questions.”



Please, Kevin. Look at news. Please! Can you help? I’m praying.

The text was from his cousin’s mother—his aunt Darla.

Kevin Rawling had just finished scrubbing his hands after a long day of painting Ernest and Betty Kilburn’s ranch a sickly yellow-green that they loved but was already drawing troubled glances from the neighbors. He walked from the garage inside his mid-’80s split-level (which was painted a tasteful off-white).

If Aunt Darla had sent the message from the courtroom it would have to be important—and it would have been sent with some risk. The judge in the trial was a stickler about using phones, even in silent mode. Once, near the start of the trial, he’d raged at a reporter and expelled him for texting.

The news? What was she talking about?

The muscular thirty-six-year-old, with a square face and crewcut brown hair, was in paint-spattered jeans and a tee. He had been to the trial several times, part of the family rotation, to pray and give support. But bills had to be paid and so he’d reluctantly skipped the trial today to finish the Kilburn squashed-bug-color paint job.

After drying his hands he sat down at his computer and booted it up, went to his news feed and found a local story.

Shocking Testimony in the Old Bennett Road Murder trial.

Defendant Lied to Police about Whereabouts.

Hopewell, Illinois—A Vandalia County deputy has testified that Steven Todd Ross lied when he told an investigator that he had a flat tire and could not have been at the scene when VCSD Deputy Cynthia Hooper was killed.

This means that for an hour Ross's whereabouts were unaccounted for, during which time he could easily have driven from Garth, where he was seen on a traffic cam, to Old Bennett Road before the crime.

Ross is on trial for felony murder, which means the state does not need to show that he himself killed, harmed or even touched the victim. He can be convicted simply because he participated in the robbery during which she died.

Rawling didn't read any more. He'd learned enough. He leaned back and stretched. A bone popped.

The family was praying for his help, and he'd come through, of course he would. But how?

He walked to the front porch and gazed out over the fields. The house, where he, his wife Jodie, and their three children lived, was the one he'd grown up in. He paced along the lengthy porch, which tilted to the right, if you were facing the front door. He remembered how he and his cousin, when they were kids, would race marbles down the incline.

Once, his cousin said, with a playful look, "Hey, you and me, let's race! Us against the marbles."

"How?"

"Roller skates."

"Um . . ."

"Betcha a dollar."

And it had been quite the thrill, even though young Kevin had lost not only the money but a tooth.

Pacing, thinking.

Another memory suddenly appeared.

Ah, yes.

A movie he'd seen a long time ago.

A man was on death row, the clock ticking toward midnight, when he'd get the poison gas or electricity or whatever was used in the days before the needle.

The prisoner's older brother had spent weeks trying to find the evidence that would save him. What was the big word? *Exculpate* him. That was it.

With hours to go, the sibling had finally unearthed a possible lead. Could he find it in time?

Young Rawling had sat forward throughout the entire film, racked with tension, waiting to see if the prisoner would live or not.

He had—which looking back wasn't such a twist, since he was a famous movie star and it was unlikely that his character would die.

And so, with his cousin prominently in his thoughts, Kevin Rawling decided he too would play the hero of *this* movie, a real-life drama.

If he could find something, some proof about that sixty-minute gap and get it to the judge.

Proof . . .

His eyes were now on the dense, richly green grass of the front yard and, in the center, the same tire swing that had dangled from one of the branches for decades. It was eerily swaying despite the absence of the slightest breeze.

He pictured himself with his cousin, walking home from Sunday school, changing into jeans and pushing each other back and forth in the swing until they were dizzy and laughing so hard they couldn't speak.

Help . . .

Rawling went inside and flipped through his church directory, looking up the number of a parishioner who was a lawyer.

"Charles?"

"Yes."

He identified himself.

"Hey, Kevin."

"Have a question for you."

"Sure. If I can help."

"I have this friend." Rawling thought it wise to change the story a bit. "He's got a relative on trial. The trial's going to be over with soon. He was wondering what if somebody found some evidence that proved he was

innocent? Only it was at the end of the trial, maybe while the jury was deliberating.”

“Never heard of that. Hold on.”

Rawling heard some keyboarding. The man came back on. “The rule is as long as the judge hasn’t issued a final judgment, it can still be introduced. It’d be a mess and the trial would have to be delayed but, yeah, the evidence would be admissible.”

After thanking the man, he disconnected.

On the laptop once more he called up Google Maps. He typed in “Route 44 and Old Bennett Road, Illinois.”

The image popped up almost immediately. He zoomed out until he had the entire stretch of highway from Garth to Old Bennett Road on the screen.

Because it was Google, the map showed not only roads but businesses too. Restaurants, shops, even commercial operations, as if you’d turn to Google to find a local metal-plater.

And maybe those who needed something plated did.

He clicked on the link of the ad for a restaurant about a mile south of Garth. It gave him a phone number. He dialed it.

“Danny’s Bar. Help you?”

“Hey, how you doing? Um, this is going to sound a little strange, but I have a question.”



With a trial going on, he would not normally be here.

But tonight was different.

Evan Quill lay in his bed, a fine ergonomic model, expensive given his prosecutor’s salary. But he needed one that was kind to his temperamental back. He stared at the ceiling. Murky. The room was fractionally lit by the monochrome light of dusk.

The bedroom was, like the rest of the house, as ordered as ordered could be. The dresser-top accessories and personal accoutrements were arranged in rows that seemed to have no particular priority but in fact did—to Quill, at least. He thought of the arrangement as an “aftershave spreadsheet.”

Clothes were hung in the closet according to color. Underwear was folded and placed in the right top drawer. Tees went in the left. Below, socks; below that, jeans. Then the flannel shirts and long johns he wore when fishing in cooler temperatures. To the right were swimsuits he rarely had the time to use.

Of course not all was perfect. The triad of suits sat tossed on a chair, and a special portion of his closet was devoted to frayed-cuffed shirts. (Nonetheless, hung according to color.)

Trials were a combination of experience and knowledge and keen intellect . . . and Tony Award-winning performance—including costume design.

I'm one of you, he wanted to project, and he knew it made a difference.

Juries loved him.

The OCD affected his romantic connections. When he dated, which was not often, a woman would hold her polished glass of carefully poured chardonnay and take the house tour—a charming two-story on a charming one acre of lawn on a charming street in the northern part of Hopewell, which on the whole was a rather uncharming town.

And she might look at him approvingly and comment to that effect. Maybe display a faint blush of envy at how the laundry was organized in a way that a soldier might present for a commanding officer's inspection (war-story-minded Quill sometimes had this thought). And wonder if he was a keeper. Mom would love him.

Another woman might smile in an unsmiley way as she looked at the precise order of the spice jars and books and tools and entertainment remote controls (arranged by size) and would clearly be thinking: Okay . . . This is just a little weird. One-date-only weird.

If there was anybody who by rights should have thought his approach to configuring his house and life with such precision was jarring, it was the woman lying beside him now. Naked, and breathing shallowly.

State investigator Constant Marlowe.

Quill glanced toward her now. She wasn't sleeping, as he'd thought, but was also staring at the ceiling.

His heart thumped a bit harder. Not at the sight of her supple, sweaty body. It was her face that captivated him—as it had done from the first time he'd seen her two and a half years ago, during a case.

Quill rolled her way, left hand landing—affectionately only—on her firm belly.

Aware of his gaze, Marlowe too turned, snaking her arms around him, gripping hard. They kissed with equal pressure and yield. It was not clear if the tasting of their mouths, the proximity of warm flesh, would lead further.

Quill suspected it wouldn't. His twenties were six years behind him. And all was calm below the navel.

She lay back and her eyes painted the ceiling once again.

While here in Vandalia County Evan Quill pursued the prosecution of one of the three suspected in the Old Bennett Road murder, Marlowe was spending twelve-hour days tracking down Paul Offenbach, the mastermind of the crime. She'd recently been in Chicago, where the man was based, but had had no success. The man was savvy and had resources—both money and those who were willing to hide and shield him.

His eyes remained on her. Marlowe was about five six, slim. The mass of brown and red hair, now swirled on the pillow, was usually coerced into a ponytail. Her muscles were to be reckoned with; she was a boxer, amateur now, but had once done tours on the pro circuit. She sported four tattoos, two of which were visible when clothed—provided her top was sleeveless.

Evan Quill's devotion to order bothered her not, it seemed. She didn't even appear aware of his habits, which was good and bad—the latter being because it suggested she was not wholly present when she was with him.

Constant Marlowe was unique and seeing her (the word "dating" would never come to mind) was out of the ordinary, to understate. During a rare dinner out, she'd glanced to her right and said, "Be right back," then stepped away to a neighboring table, where a man was painfully squeezing the arm of his tearful wife and whispering angrily in her ear. Marlowe had not said a word of criticism, or warning, but had simply punched him in the nose, then reached into his jacket pocket, pulled out his wallet and taken a picture of his driver's license.

She'd returned to their table, amid some applause, and Quill had recited the relevant law. "720 ILCS 5/6-4 use of reasonable force in defense of others." It was the statute her lawyer would cite in her trial.

Marlowe continued to work on her steak, as if the sortie had never happened.

Quill now reflected on the phrase he'd just thought: Returned to *their* table . . .

This is what it came down to. While “their” and “they,” as references to the two of them, occupied about 60 percent of Evan Quill’s thoughts, sometimes cresting to 70, in Marlowe’s mind they hovered around the level of an unpopular president’s poll rating.

Quill often considered that old saying that opposites attract. Which was true, he supposed, but only up to a point: no rule of physics said that the opposites had to attract with equal force, and when one is more drawn than the other, disorder occurs.

And heartache hovers on the horizon.

Then there were nights like this.

After Judge McInnes had adjourned for the day, Quill had ordered the disorder on the table and turned to see Marlowe standing in the back of Courtroom 3A. She was dressed like a biker but had mounted her badge on her belt so a guard or bailiff wouldn’t be troubled if they caught sight of her weapon.

They had nodded a greeting across the emptying room.

Soon they were here, in a \$2,000 bed, both naked, the bad girl and the good boy.

They . . .

He asked, “You staying long?”

He couldn’t help it.

“Don’t know.” Her voice was raspy. She used to smoke. Decided to stop and never had another one. Long ago. “Offenbach’s just plain gone. No leads. Have some inquiries out. But . . .”

Offenbach had homes in Florida and the Bahamas and connections with OC crews along the western shore of Lake Michigan, the Eastern Seaboard and, possibly, San Francisco. Marlowe’s outfit had jurisdiction in Illinois only and no budget for travel outside the state.

He could feel her frustration. No, that wasn’t accurate. He had knowledge that she’d be experiencing that sensation but none radiated outward. In the same way the searing pain he knew she felt at Cynthia Hooper’s death was present, but not revealed.

This defined Constant Marlowe.

She asked, “How’d it go today?”

He told her about the bombshell, which pulled the legs from underneath Ross’s defense. He couldn’t help but riff on the “bomb” versus “shell” conundrum.

Marlow gave a nod. The equivalent of a smile, if not a laugh, in anyone else. “What’s Gaine’s strategy?”

“He’s filed the 413 notice. Character wits. Some technical forensics. It’s weak.”

“Looking good?” she asked.

“I think so.”

Her finger absently rubbed the scar just below her left breast.

Quill watched the digit. He was having second thoughts about an encore. Thirty-five, after all, wasn’t fifty.

Sounding as spontaneous as he could, he said, “I’m meeting Sally for breakfast tomorrow. Ivan’s. You know it, up the street from the courthouse?”

Subtext eased into the room.

She nodded a noncommittal nod. She didn’t even offer: Maybe I’ll see you there.

How odd that he would bluster and rage and beat up the worst of defendants without a second thought. But now, with Constant Marlowe, he trod oh so carefully.

She’d been transparent from the first time they ended up here—months ago. “Listen, Quill, you better understand if this is going to happen again—and let’s hope—I’m not a stay-the-night girl.”

“Fair enough,” Quill had said, and, suspecting he was doomed, kissed her nonetheless.

Now, 8:00 p.m. this Tuesday, he looked toward her once more and the sight of the scar, her breast, her hair did the trick. Ignoring the back pain, he rolled closer and they met in the middle of the superb mattress.

There was time for one come-hither kiss before their unique version of life intruded.

Her phone hummed.

She whispered, “Have to.”

“Sure.”

He would have done the same.

Without a hint of self-consciousness, Marlowe rose and, still naked, walked to where her mobile sat, next to the pile of jeans, T-shirt, undergarments and matte-black gun.

He noted, as he always did when she turned away, the exit wound in her back, just above the kidney.

And thought: An inch lower and . . .

“Yes?” she asked into the phone.

Even in the dim light, Quill could see her tense.

“Text me.”

She disconnected and began pawing up her clothes. “A CI of mine. They’ve found him.”

“Where?”

“Wisconsin. Town I never heard of: Upper Falls. Harbinger County.”

Just over the border.

On went a gray sports bra, Victoria’s Secret boxers bought with a gift card he had, uncertainly, given her for her birthday. He’d given her stockings once; they were never worn or seen again.

In one minute she was dressed and booted.

Quill reflected: he would have taken a shower. “You going up there?”

A blink. “Yeah.”

Meaning, of course.

“You’ll be out of jurisdiction.”

A pause. “Just to look around. I’ll take a leave of absence.”

She cocked her head as she did something fast and stylish with her hair and dark metal pins.

“Marlowe . . .”

She had that distracted gaze she wore when she was looking at, but not really seeing, his substantial collection of books, arranged alphabetically by title, excluding, of course, the articles “A,” “An” and “The.”

He didn’t bother to finish what he’d started to say.

His pleas that she stay within the bounds of the law in Wisconsin hardly needed to be repeated.

Besides, he had another strategy: he had added a third purpose for the criminal trial he was now prosecuting. In addition to striking a blow for justice and to keeping a deadly perp off the street, he would secure a conviction of Steven Ross so that after the guilty verdict, he could start horse-trading—a reduced sentence for Ross’s cooperation in finding Paul Offenbach.

Because once the killer was behind bars, Constant Marlowe could not murder him and spend the rest of her own life there.

She gave him a kiss—a distracted one—and pulled on her black jacket. The gun, in a battered leather holster, went into her back waistband.

Marlowe's phone hummed once more and she took the call, walking to the door of the bedroom and into the hallway.

Without a look back.

Wednesday, April 5

The war was not over.

Defense attorney Martin Gaine had a bombshell of his own.

In the morning several defense forensic experts picked unsuccessfully at Quill's evidence, then a half dozen character witnesses spoke on Steven Ross's behalf—clean-cut men who reported on Ross's good deeds, caring nature, love of family and devotion: every Sunday, without fail, he attended church in the morning and, in the afternoon, went to a Bible-study retreat in a neighboring county.

Quill didn't bother to cross. Juries generally took such testimony with a grain of salt and it was a waste of time to get a dedicated churchgoer to admit that maybe he or she was exaggerating the defendant's finer qualities.

Then, the surprise.

Gaine stood—did his characteristic and odd forward lean—and spoke in his own earthy baritone. “Your Honor, may it please the court. A sidebar conference?”

Judge McInnes called a fifteen-minute recess and the jury left the courtroom.

With a glance toward Burke, Quill rose, buttoned his navy-blue, slightly wrinkled suit jacket, and joined the defense counsel in front of the judge.

Gaine wore an aftershave that was distinctive. Ostentatious, Quill thought, but the man from Chicago would never be close enough to the jury for them to detect it. “Your Honor, I'd like to request that my opponent waive the state's rights under Section 413. I have an unscheduled witness.”

The cited provision was the counterpart to 412, which required the government to provide the defense with a list of all witnesses appearing at trial; 413 required the defense to do the same.

A surprise witness, a staple of TV courtroom drama, almost never happened in real life.

“Who do you want to introduce, Mr. Gaine?”

“My client.”

The judge gave no reaction but had to be surprised.

This was a truly risky gambit. Even the best prosecutors could not paint defendants guilty as effectively as they could themselves.

It was for Quill to make this call. He could waive any rule he was bound by, provided doing so didn't affect the “administration of justice” in the court.

McInnes said, “I will not delay the trial for more discovery on the state's part but if you're in agreement, Mr. Quill, I'll grant the motion.”

The prosecutor paused dramatically, as if considering this weighty issue. Finally, he said, in a grave voice, “I have no objection, Your Honor.”

And returned to the table, choosing to wink at Sally Burke rather than give the fist pump he wished to.



Kevin Rawling's phone strategy had not worked.

Um, this is going to sound a little strange but I have a question . . .

Which was: Do you have security video in your parking lot?

At which point the person taking the call at Danny's Bar had simply hung up on him.

So had another two dozen clerks and managers—all of them possibly thinking he was a potential burglar.

Another problem was that while many companies paid Google to be included in its maps, that number was a mere fraction of potential sources of video footage he was desperately searching for.

So he'd adopted a new approach: pounding the pavement.

Which may have been a phrase from the execution movie that was the model for his quest.

Rawling was now piloting his F-150 along what he thought of as his hunting ground—Route 44 from the town of Garth, Illinois, pop. 5,440, south to the intersection of Old Bennett Road in an unincorporated portion of Vandalia County.

“Canvassing” this was called, as everybody who watched crime TV or listened to podcasts knew.

He was in what he wore to church: a white dress shirt and pressed tan slacks, though today not in a jacket. His shoes were polished. And he'd shaved diligently. Private eyes—especially amateur ones like him—had to be presentable. He couldn't get all the paint out from under his fingernails but who could object to evidence of a man working to support his family?

Since six thirty this morning, when he'd arrived in the area, he'd hit twelve locations. The in-person approach at least got people to hear him out. But all the working exterior cameras, it seemed, were mounted high and pointed down into the store or parking lot or at the gas pumps; none that he found offered footage of the highway in front.

No luck.

Now, though, he spotted what he hoped was a good one—a quick mart with a camera pointed directly up the southbound lane of 44, the view not obscured by signage or plantings.

Inside, a South Asian man looked up from behind the counter. He'd been playing *Candy Crush* on his phone. "I help you?"

Rawling picked up a six-pack of Red Bull, placed it on the counter. In retail stores he always bought something. His passenger seat was filled with soft drinks and chips he had no taste for.

The man rang the sale up. He was broad and squat, his face dotted with birthmarks. His eyebrows were notable.

"Like to ask a favor."

The eyes were somewhat cautious but any concern was diluted by Rawling's wholesome appearance.

"I see you have a security camera."

"Yes."

"I wonder if I could take a look at some footage."

"Why?"

He flipped through his phone and displayed a picture. "This's a relative of mine. He was arrested for a crime he didn't commit."

"Wait, I know him! On TV. What's his name again? Roth."

"Ross. Steve Ross."

"And he didn't do it? Kill that officer, that woman?"

"Absolutely not. The sheriff and the DA just went after him because they can't find the real killers. It's embarrassing and the county government put pressure on them. So they had to arrest somebody. I want time-stamped pictures of his truck to prove he couldn't have been there."

“An alibi.”

“Exactly.”

“You’re like a private eye! *Farewell, My Lovely, The Maltese Falcon!* I read all those books. Nobody reads them anymore. I do. When was this, the murder?”

“March 13.”

“Ah.”

Rawling’s shoulders dipped, seeing the man’s expression, which revealed a desire to offer help he could not provide.

He whispered, “The owner, he is cheap. He won’t pay for that cloud thing. The system overwrites the disk every week. I am sorry.”

Rawling thanked him and returned to the truck, reflecting that for his painting business he’d bought a four-terabyte hard drive for about fifty dollars. It would probably store a year’s worth of video.

And didn’t “cloud things” cost three or four bucks a month?

Back onto 44, heading for the next business.

The execution film that had inspired him was a bad model for his mission. That story had been created by high-priced writers, whose job it was to tell a speedy story with exciting developments at every turn.

He, on the other hand, was slogging along from scene to scene, each of them so uneventful and tedious that any director worth his salt would scissor every minute of them into the trash bin during editing.

Still, what was there to do but keep at it?

The bond of kin was stronger than anything.



“Now, Steven,” ambassador-quality Martin Gaine began as he looked gravely at his own client. “Have you ever been arrested before this alleged crime?”

“Yessir.” Ross, on the padded office chair located in the stand, calmly looked into the attorney’s eyes. His voice was firm and clear.

“What were you arrested for?”

“I stole a car once. I broke into a warehouse and stole some TVs. And in a liquor store I stole some cases of whiskey.”

Quill knew all this. Burke had found Ross's record. He'd had no opportunity to introduce it because evidence of prior crimes can be used in court only if they're offenses that go to the defendant's truthfulness—like passing bad checks or perjury.

But here was Gaine, doing the state's work for them. He'd have a strategy. What was it?

"Did you serve any time in jail, Steven?"

Using his first name to generate sympathy. It was right out of the defense playbook.

But Quill could hardly be critical of the tactic. He himself referred to Ross primarily as the dehumanizing "defendant"—since he was not allowed to call him "the suspect accused of slaughtering an innocent woman."

"Yessir, for the warehouse. Thirty days."

"Was it a felony or a misdemeanor?"

"A misdemeanor."

Quill rose. "Objection. Relevance."

"Mr. Gaine?"

"Establishing character."

"Proceed, Mr. Gaine."

Like Quill, Gaine did not use the lectern but paced in front of the jury, slowly, and did not refer to notes. He was quite the handsome man and several of the women juror's eyes followed him, even while Ross was testifying.

"Steven, why did you steal those items?"

He grimaced. "I had a drinking problem then. Those things I did, I was drunk. I didn't even remember them proper."

"When was your last arrest?"

"Five years and two months ago. For the liquor."

"Have you been in any trouble since then?"

"No, sir."

"Were you an alcoholic?"

"I *am* an alcoholic. But I haven't had a drink in five years, three months."

"Have you ever used drugs?"

"Smoked pot when I was a teenager. I never liked it. Made my mouth taste funny. I don't get why people—"

Quill: "Your Honor."

“Please just answer the questions, Mr. Ross.”

“Yessir, sorry, sir.”

“So, no drugs, liquor or crimes in five years?”

“And three months.”

“It looks like you turned your life around, Steven, wouldn’t you say?”

This was leading his own witness and Quill could object. But he was very aware of the danger of becoming a nag in the eyes of the jury. Especially with someone who was at least claiming to be rehabilitated.

“I feel like I have. I’ve tried hard.”

“Do you associate with people who do drugs?”

“I guess it depends on what you mean by ‘associate.’ We’re members of the Brethren Church. We have these twelve-step programs like the one I was in there. I volunteer. Some of them are addicts, so I suppose I associate with them. But to help them get clean is all.”

“Do you associate with anyone who manufactures, buys or sells illegal drugs—other than people who might be in one of those programs?”

“No, sir, I do not.” This answer, like his others, bordered on impassioned.

“Now, let’s talk about the afternoon of March 13 of this year. Did you lie to Detective Jenkins about going to Garth to look into buying a new truck?”

“Yes, I did.”

“And you lied to him about having a flat tire after you left Garth.”

“I did.”

“But you did drive to Garth on the thirteenth?”

“Yes, I did.”

“What time?”

“I left my house around two twenty, two thirty in the afternoon.”

“And you were in Garth at three thirty-seven.”

“Yessir.”

Gaine grew theatrical, gesturing—subtly and slowly—with his hand. It rose and fell, like a priest’s as he was offering a blessing at a baptism. He glanced toward the jury and then continued. “If you weren’t there to look at trucks, what were you there for?”

“I went there to meet somebody. At that park off Anderson Road and 44.”

“When were you supposed to meet?”

“At four fifteen.”

“When did you get there?”

“About twenty to four.”

“What did you do in that half hour before the meeting?”

“I prayed.”

Gaine let this sink in as he strolled back to the lectern, then turned.

Quill and Burke shared a look.

“Did this person you planned to meet show up?”

“Yes.”

“When?”

“About four twenty-five.”

“How long was the meeting?”

“Not long. Ten minutes, maybe a little less.”

Gaine paced some more. Then stopped. “What did you do after the meeting, Steven?”

“I went home.”

“What was your route?”

“I drove down 44 to Old Bennett Road and turned west.”

“Tell us what you saw on Old Bennett Road.”

“About two miles from 44 I saw that white van and car off the road in some bushes.” He pointed to the exhibit whiteboard, on which were taped crime scene photos.

Gaine: “Let the record reflect the defendant is indicating the Allied Transport Sprinter that had been stolen from Emerson Pharmaceuticals on March 13 and Cynthia Hooper’s Sheriff’s Department cruiser.

“And what did you do?”

“They were at funny angles, like they’d run off the road. Maybe it was an accident. I stopped and went to look. I found the body of the officer.” He closed his eyes. His voice was soft. “It was . . . I never saw anything like that—”

Quill spoke quickly. “Objection.”

The judge instructed, “The jury will disregard the witness’s last statement.”

“I’m sorry, Your Honor. I walked up to her, to see if she was still alive. I touched her neck like they do in movies and didn’t feel anything, any pulse. And I realized then it wasn’t an accident. I saw the bullet hole. She’d

been shot and cut. I got scared. I thought maybe whoever'd done it was still around. I went back to my truck and left. Fast.”

Gaine nodded slowly. He paced toward the jury. He turned once again to the witness stand. Another blessing, his right hand.

Theater . . .

“Now, tell us about this meeting, Steven.”

The order of Gaine's questions was interesting. They were not in a chronological sequence; he had been saving the purpose of Ross's meeting until the end of the narrative. This would have the effect of making the jury wonder what it was all about—a question that had been growing in importance in their thoughts.

Ross was silent for a moment and Quill noted that he was looking not at his attorney or the jurors but at his family in the front row of the gallery. His somber-faced wife frowned.

What was happening here?

“The day before, Jamie, my son, left his computer open. He was downstairs. I looked at it and he'd been in one of those chat rooms, you know. It was about computer games. And he'd been talking in a private message window to someone named Hank. The messages were about if Jamie'd ever be interested in seeing Hank's gaming setup. Maybe Jamie could come over some time. And the way he was writing, I could tell he was older. And something just didn't feel right.”

Quill noted the boy was not here today.

“So I sat down and pretended to be Jamie. I typed that, yeah, I would like to see it sometime. And we talked about computers for a little while, but then he started asking other things, like saying he'd gotten into gaming because he didn't feel like he fit in. Did I ever feel that way? I said sometimes. He asked about personal stuff. Like if I had a girlfriend. He sent me a picture, and I was right: he was an older guy. He asked me for one. I said I didn't have any on this computer. He asked how old I was. I said fifteen. We chatted some more for a while and then he started asking if I—well, Jamie—had ever been interested in boys. You know, *that way*.”

This sent a murmur through an otherwise dead-silent courtroom.

“He said, if not, that was cool. He was just curious. All I said was I didn't think so but didn't really know. That was all. But I could tell he was hooked.”

Burke looked at Quill. She was frowning. Hank's comments were hearsay and could have been excluded but the prosecutor let it stand. The prosecutor wanted to see where it was going—what Ross said here could help with his cross-examination.

Battles required intelligence as much as bombs and shells.

“Then I said I really liked chatting with him but I had to go. Would he want to meet tomorrow? And he said he would. I said the park at 44 and Anderson. And he said that'd be great.”

Gaine, pacing.

Letting the drama build and build.

He walked to the table and looked at a note that might have been gibberish or might have been a reference to an important Supreme Court decision.

“You testified you were praying, Steven, in that half hour before you were going to meet Hank.”

“That's right.”

“Tell us what you were praying for.”

A pause. “I had my gun with me, and I was asking God if it would be all right to kill him.”

The earlier murmurs didn't compare with these. Nearly, but not quite, a sound requiring a gavel tap.

“Quiet, please.”

Quill looked on without any reaction. He had never heard of a trial in which a defendant offered as an alibi that he was thinking of committing homicide.

“Why would you kill him, Steven?”

“I was thinking there were dozens of Jamies out there this man could hurt. This sick man. I'd go to jail, but think of all those children I could save. Maybe he was even into hurting or killing them. There're . . .”

“Objection.”

“Sustained.”

Gaine stepped close to his client. His voice rose dramatically. “So you're at that park, Steven, with your gun. Praying. And you got your answer, it looks like. Since I don't recall any breaking news stories about a pervert getting shot outside of Garth.”

A faint grin. “Yessir. The Lord told me it was a sin to take a life, any life. Even someone like that. There'd be justice in the hereafter. And it

would be savage.”

Sally Burke whispered, “You’re not going to call hearsay on the word of God?”

Quill stifled the smile.

“Tell us what happened in this meeting, Steven.”

“When he got there he parked and sat on a bench. And I got out and walked up to him fast and he was all freaked, seeing me and not my boy. I showed him the gun and I told him not to move. I asked him if he’d ever hurt any children. And he said no.”

Quill had learned enough. The sole issue was where Ross was at the time of the murder. Now it was time to cut the moral quest tale. “Objection. Hearsay, relevance.”

“Sustained.”

Gaine said, “Steven, please just tell us what *you* did and said.”

“Yessir. I said I’d downloaded a picture of him and if he was ever in those chat rooms again, I’d put it online and tell everybody who he was.”

“Objection. Relevance.”

“I’ll sustain. The jury will disregard.”

“Steven, you told Deputy Tamblyn when he interviewed you that you got to the murder site around five fifteen p.m.”

“That’s right.”

“Steven, let’s go back to the site of the murder. When you were leaving, did you see anyone else around Old Bennett Road just before or after you were at the crime scene?”

“Objection,” Quill called, his somewhat deeper baritone terse. “Leading.”

Gaine had just given it a shot. Sometimes it worked.

“I’ll rephrase. What happened after you left the site of the murder?”

“I drove to Route 28. And I saw a man there. He was blond or had light-colored hair. Like mine. Wearing a baseball cap. A dark one. He had sunglasses on. He was parked on the other side of the highway. He was leaning against the car, some silver sedan. I got the idea he was looking at me.”

“Could he have been the man in the photograph, State’s Evidence Number 4?” Gaine pointed. It was the man that Quill was claiming was Steven Ross.

“Yes, he could have. The cap was the same, the jacket. Hair.”

“All right, Steven, I just have a few last questions. Do you know or have you ever met Paul Offenbach?”

“No.” Jaw set, the word firm and steady.

“On March 13 of this year, were you at any time present at the Emerson Pharmaceutical Parking Facility Number 2?”

“No.”

“Did you participate in or were you present at the assault on and murder of Cynthia Hooper?”

“As God is my witness . . .”

“Your Honor,” Quill chimed in.

The judge: “Mr. Ross.”

“No, sir.”

Gaine smiled at Ross, a kindly smile, and then turned to Quill and the expression became ice. “Your witness.”

The judge called a thirty-minute recess for lunch.

Quill and Burke walked up the hall to the prosecution office in the courthouse. There awaited turkey sandwiches, potato chips and Diet Cokes.

Setting out a napkin as a place mat, smoothing it and unwrapping the sandwich, Quill noticed her indifference to the food. She was looking out the window.

“And?” he asked.

She didn’t answer for a moment. “What if he’s innocent, Evan?”

A sip of cold soda. The bubbles stung. He put the can down. “Go on.”

“It’s not like there’s an affirmative defense.”

Where the suspect admits the crime but offers a legal justification—like self-defense or necessity: I had to trespass to escape from a rabid dog.

“Gaine’s saying we’ve got the wrong man altogether—and he’s here because he stopped to see if he could save somebody’s life. The thing is, Evan. It’s like . . .” She looked at the whorls of oak grain in the tabletop. “It’s like you have this spell over juries.”

Quill had been told he had a gift but he’d never heard it put in terms of wizardry. Phrasing it that way made his skills suspect.

“You dress different, you talk different, you walk different. You slouch more. Your hair’s mussier.”

“Is that a word?”

Her lips tightened, uncharacteristic for her. He regretted the flippancy. She was, of course, 100 percent accurate about his tactical choices.

Every prosecutor makes a judgment about what cases to bring or not. Quill had weighed what the city, county and state law enforcers had dug up. Was it compelling? Yes.

Was it irrefutable? No.

But once you make the choice to prosecute, the defendant, in your mind is 100 percent guilty; you go all out.

Possessed . . .

In your heart, the defendant's guilty. There is no other possibility. And you invoke the Rules of Trial Number 1 and Number 2: Justice for the past victim. Safety for the future.

Evan Quill did not admit doubt. "We're beyond that, Sal."

Burke didn't speak for a moment. Then: "His testimony? It sounded credible to me. And now you're going on the offensive. What if they convict and he's innocent? The charge is killing a law officer. You know how cons like that are treated inside. We moved so fast. Maybe we should've done more background, more investigation."

"What do I say?"

Reluctantly she recited, "Once we're committed, we don't look in rearview mirrors, we don't check our blind spots. It's only straight ahead." Burke carried her still-wrapped sandwich to the mini refrigerator, set it inside.

"The thing is, Evan, sometimes there really *is* a man on Route 28."



Quill took a last look at his notes, then rose.

He ambled across the old oak floor, avoiding the spot that groaned if even the most diminutive attorney stepped on it.

"Good afternoon, Mr. Ross."

The formal name was less humanizing than the given but it also contained an element of respect. You could poke holes in suspects' testimony at will, call them liars. But belittling or insulting them personally worked against you.

The defendant nodded uncertainly. "Yessir."

"Now, you testified that when you saw that van on Old Bennett Road, you stopped and went to see if Cynthia Hooper was still alive."

“Yessir.”

“How far away from her did you park?”

“On the shoulder. Fifty feet, I guess.”

“When you first saw Cynthia Hooper’s body, did she appear to be moving?”

“Moving? No.”

“Did she appear to be breathing?”

“No.”

“Were her eyes open and not blinking?”

“I guess that’s right.”

“Yet you still thought she might be alive?”

“Anything’s possible, I guess. I didn’t think about it. It was the right thing to do is all.”

“Tell us what you did after seeing her.”

“I walked up and bent down and felt her neck.” Ross cracked open and sipped from the bottle of water he’d been given. The bailiff made sure the seals were tightly affixed. A meth cooker once tried to poison a witness on this very stand via the Deer Park.

“What happened then?”

“I turned and went back to my truck and got out of there. I was—”

“According to People’s Exhibit 4, the only blood on the ground near Deputy Hooper’s neck was a stain about three by four inches. You can see it on the photo there. And you can see much larger bloodstains behind the Sprinter, near the back doors, where the assault on Cynthia Hooper began. Isn’t it true, Mr. Ross, that you were behind the Sprinter at some point that day, which is where you picked up the blood on your shoes, not from that little patch near her neck?”

“No, sir. It’s not true.”

“That same Exhibit 4 reports that traces of drugs were found behind the Sprinter but not beside Cynthia Hooper’s body. Yet traces of opioids were found on the floor of your truck as well. Opioids that are a chemical match to those stolen from the Sprinter that day. Are you still saying you were never behind the Sprinter that day?”

“Mr. Quill, sir, I walked from my truck to that unfortunate woman and back again.” He looked at Gaine, then away quickly. He’d have been instructed not to. “I don’t know. It was a windy day, I recall. Some of those drugs must’ve blown to where I walked.”

“But the blood couldn’t’ve blown anywhere, could it?”

“Objection.”

“Withdrawn.” Quill paced slowly back and forth in front of the stand, his posture a bit more stooped than earlier. “You know what the age of consent means, don’t you?”

“Um, yeah. It’s the age somebody has to be before you can legally have, you know, relations with them.”

“Do you know the age of consent in Illinois?”

“I guess eighteen.”

“It’s seventeen. Judicial notice, Your Honor.”

“Acknowledged.”

“How old is your son?”

“He’s fifteen.”

“Well, Mr. Ross, since you knew or believed your son was underage, you knew Hank was committing a crime, isn’t that right?”

“Objection.”

“Question stands.”

Ross said, “I suppose.”

“Let’s assume this Hank was real and the events happened as you claim, then why didn’t you call 911 and report it? That would have taken care of your pervert, with no risk to you or your family. It would definitely have saved children, where you’re threatening him with a gun might not have done anything. He might’ve gone back home and started chatting with another boy.”

Ross hesitated and rubbed his eyes. They were red.

Tobacco was always good, though witnesses had taken to using Cholula recently, Quill had learned. It didn’t sting quite so much.

He sipped more water. “I didn’t want it public. I didn’t even tell anybody in my family. This is the first I’ve mentioned it. I was worried some people at school, in our church, might’ve thought Jamie was that way.” He added quickly, “He really isn’t. He has a girlfriend.”

“Your Honor?” Quill asked.

“The jury will disregard the defendant’s last two sentences.”

Quill said, “You could have called anonymously from a pay phone, reported Hank’s chat room handle. Did that not occur to you?”

“No, sir, it didn’t.”

“So there’s no one who can corroborate this story about Hank?”

“I guess not. I didn’t—”

Quill turned to the bench. “Your Honor, I respect your wish not to prolong the trial but I move for a forty-eight-hour recess to give the state an opportunity to conduct a forensic examination of the defendant’s computer, discover this individual’s, Hank’s, identity—”

Ross said, “It’s gone.”

Both attorneys and the judge looked at him. The latter asked, “What do you mean, Mr. Ross?”

“It’s gone. Jamie’s laptop. I threw it out.”

Quill: “You threw a whole computer away?”

“Yessir. I wanted everything about that man and his filthy perversion out of our house. Maybe he’d sent Jamie some pictures or emails. Some disgusting ones. I don’t know. I just wanted it gone.”

After a brief pause, to let the jury ponder the credibility of this, Quill said, “Mr. Ross, you testified that you saw a man at the intersection of Old Bennett Road and Route 28 after you’d left Deputy Hooper’s body.”

“That’s right.”

“And he seemed to be looking at you?”

“Yessir.”

“And you thought he might have been one of the killers?”

“Was a possibility.”

“I’ll repeat: At that point you knew a murder had taken place. Why not report *that* crime and the man on Route 28 from a pay phone?”

“He might’ve followed me, seen me call and come for my family.” He whispered, shaking his head, “All that blood . . .”

“You honestly believed that a man who had just tortured and killed a sheriff’s deputy waited not a mile and a half from the scene, leaning against a car, watching people who might’ve driven past the body, and then followed them to make sure they didn’t call the police?”

“I . . . I was panicked. I was scared.”

“Do you have any proof at all that you were in that park on March 13, like you claim?”

Ross said in a ragged voice, “They looked! They looked everywhere, Mr. Gaine’s associates. For a camera, a witness. They—”

“I asked if you had any proof.”

His head lowered. “No, sir.”

“Now, Mr. Ross, you testified you were so mad that you were planning on driving up to Garth and killing this supposed Hank.”

“But I prayed—”

“Yes,” Quill said quickly, “we know. But that was later in the day. Earlier, at home, you were intent on killing him, you said.”

“Yessir.”

“So you prepared for the murder, right? You got your gun. You left your phone at home so it couldn’t be used to place you at the scene . . .” Quill stopped pacing and ran a hand through his hair, remussing. He frowned.

Tony Award–winning performance . . .

“But wait . . . I’m confused. You just testified that you were ready to go to prison for life for killing Hank and saving children. Correct?”

“I guess. Yessir.”

“Which means you *didn’t* care about getting caught. If so, then why leave the phone at home? Can you explain the contradiction?”

Ross looked toward his family. Then back to Quill. “I was so upset by what I’d found, that man, I wasn’t thinking clearly.”

“Isn’t it true that you left the phone in your house because you knew you *were* in fact going to commit a crime that day—the robbery of the Allied Transport Sprinter, along with Paul Offenbach and another man?”

“No!”

Quill’s still eyes were fixed on the man for a long, almost unbearable, moment. Finally: “No further questions, Your Honor.”

Judge McInnes shuffled documents and set them in an ordered stack on his desk. “Mr. Gaine?”

“No redirect, Your Honor. The defense rests.”

And with that, the battle was over.

After closing arguments and the judge’s instructions from the bench, it would then be up to the jurors to determine who had won the war.



The movie that had so captivated young Kevin Rawling—where the older brother hero found the alibi witness who proved the younger’s innocence—was entitled *The Lower Forty*.

The reference in the title was to a portion of farmland that didn't have anything to do with the crime; the acreage in question was the reason the siblings became estranged. The younger brother accused the older of doctoring their father's will to leave the parcel of land in question to an uncle. In a somewhat too-obvious parallel to the death-row story, it turned out the brother did no such thing and vowed never to forgive his younger sibling for the accusation.

And he didn't.

Until he did.

The bond of kin . . .

And went on his mission to find the witness who would save his brother from death.

Here was another difference between the movie and real life: the siblings in the film had fought and become estranged. Rawling and his cousin had never shared a single cross word. Any frowns between them came from disbelief in one that the other was picking the wrong NBA team to root for, or from losing a coin toss over who was going to take crazy Uncle Moke for his doctor's appointment.

Now, his phone hummed with a text. It was from Aunt Darla.

Jury has started deliberations.

Kevin Rawling lowered his head and prayed.

But only briefly. He still had work to do.

Recalling another part of *Lower Forty*: the jury that convicted the innocent sibling had deliberated for a mere forty-five minutes before returning the guilty verdict.

Back onto the road.

He had no luck at the next gas station, an indie with two nonworking security cams.

Outside the store, he was approaching his pickup when a stocky woman in jeans and a windbreaker pushed through the door after him. She paused on the way to a box truck. "Same thing happened to me."

"How's that?"

"I heard you asking about cameras on the southbound lanes of 44. Hit and run, right? Guy dinged your truck and took off, and you're looking for his tag number on tape."

Go with it, Rawling told himself. "That's it."

She shook her head, and her gray ponytail swung back and forth. “What pricks . . . I never did find him. Two thousand in damages. Guess my deductible.”

“Two thousand.”

She gave a thumbs-up. “No luck?”

“Not many cameras pointed at the road. Just the cash register and parking lots.” He nodded back to the station. “When they work at all.”

“Well, what it’s worth,” she said. “Long shot. But I just drove up from Thomasville and saw a homeless guy on the west side of 44.”

The side next to the southbound lanes.

“Had like a nest there, you know. Cardboard, a grocery cart. So he’d be there all the time, I’d guess. Heard you tell the clerk you’re looking for a bright-blue Silverado. Not a color you see much. Maybe he’ll remember it.”

From three weeks ago? Not likely. But the videos sure weren’t panning out. What could it hurt?

She said, “At the light at Fetcher Road. Like Fletcher, without the *l*.”

He thanked her. She got into the cab, calling, “Good luck.”

Soon Rawling was speeding south along the highway.

A mile later he spotted the man the truck driver had told him about, turned onto Fetcher Road and parked.

He climbed out and waited for the light so he could cross.

Yes, there was a cardboard shelter of sorts, and a grocery cart, filled with bottles of water and bundles of newspapers and magazines and piles of cloth.

But it was hard to say if the man was in fact homeless or not. It looked like he’d shaved recently and his long gray hair had been washed, though not in the past day or so (Rawling himself sometimes let his go awhile too). And the man’s clothes weren’t seriously frayed or stained. His blue work shirt might have been pressed. His sunglasses looked new and the lenses polished to dark mirrors. He held a sign that didn’t refer to the absence of residence but said only:

PLEASE GIVE. GOD BLESS.

“Hey there.” Rawling put a twenty in the man’s bucket. He must’ve had thirty or forty dollars, bills mostly. A few coins.

“Thanks for that.” The man gave a brief laugh. “All right. I’m intrigued.”

“How’s that?”

“You give me money and you’re not walking away or driving on.”

“You here a lot?”

“Every day, seven a week and I mean January and February too, which are most inhospitable in the Midwest, as you can guess, even if you’re not from here.” He spoke in an amused voice. “But where else’m I going to go? And why would I want to go there? I don’t do anything but stand here and people give me money! If you can beat a job like that, you’re on the payroll in Washington, DC.”

Rawling couldn’t help but smile.

“And I have a transistor radio I listen to, and the batteries in her last till the cows come home. A real transistor! Remember those? AM only but I like the talk shows. You get ball games too. And I do okay, income-wise. Somedays it’s twelve dollars and sixteen cents, some days it’s ninety-two. Always a surprise. I never know how much till I get home and Lucy helps me.”

“Lucy?”

“Friend of mine. It’d be different in Europe. The bills’re all different sizes. The fifty euro’s the biggest and then down and down to the tiny five. We have Monopoly money here. She has to help.”

Rawling looked at the sunglasses. He might’ve guessed. The day wasn’t that bright. Oh, hell . . .

“You’re blind.”

“Some people say limited vision, low vision, impaired ocular functioning. Myself? I hate people dancing around, all dainty. I stick with I’m somebody who can’t see worth shit. That sigh I hear tells me that I am therefore unable to help you with your intriguing problem.”

Rawling explained about the trial and his search for a witness or videotape of Route 44 on March 13, showing a blue pickup truck.

“No, sir, can’t help you there. Sounds like you have quite some chore.”

“Driven all the way from Garth down here. Hit all the shops, warehouses, restaurants, gas stations I could find. Even tried truckers—most of ’em’ve got those dashcams. Problem is they don’t travel this route regular.”

The man nodded sympathetically. “Guess they don’t. Not like school buses, same route, month after month. Too bad *they* didn’t pan out for you.”

“The what?” Rawling whispered.



His phone hummed.

“Hey,” Quill answered.

Constant Marlowe said, “You’re not sleeping.”

“In bed with a pizza.”

The same bed she’d been in last night. The space she’d occupied was presently filled with dozens of file folders. And the Little Caesars box.

He asked, “You still in Wisconsin?”

“Yep. I got a call. Richard Avery.”

Marlowe’s superior. Quill had tried a couple of cases in which Avery had been involved. He was solid, unimaginative and probably more concerned than he needed to be about not making waves that might lap upward along the chain of command.

Marlowe avoided Avery whenever possible. Oil and water. Maybe match and gasoline.

“And?”

“Heard I was up here, on quote ‘vacation.’ Wasn’t happy, but he won’t dare do anything about it.”

Because she would have bullied him into not daring.

He said, “I read about the deputy up there who was shot. How is he?”

“Point blank, face. He’ll live. But still . . . Oh, Quinn, I almost had him, Offenbach. He sensed my trap. How does he do that?”

Was it a trap to arrest him, Quill wondered, or to shoot him in the forehead? He believed he knew the answer.

Ah, Constant . . .

“I’ll start drafting extradition papers to get him back to Illinois if he’s collared up there.”

Spoken partly to remind her that there was a tried-and-true procedure, a proper one, to bring a criminal, even one as despicable as Offenbach, to justice.

She asked, “And the trial?”

“Gone to the jury. I’m confident. He’s got no defense—some bizarre alibi that he was plotting to murder a pervert.”

“What?”

“Yep. And a mysterious stranger on Route 28 who really did it.”

“The man on the grassy knoll.”

Quill said, “There’s one in every case. You sure Offenbach’s still in Harbinger?”

“I’m sure.”

Because, of course, Offenbach hadn’t yet killed Constant Marlowe, so there was a reason not to leave.

Quill reached out and took his coffee mug. The brew inside was cold. He sipped anyway. He liked iced coffee. This shouldn’t be different but it wasn’t the same when it cooled on its own. The important thing was that it had caffeine.

“Any thoughts, how long the panel’ll be out?”

“You want to flip a quarter?”

Sometimes you could read the jury. Faces, body language. Not this one. Poker-faced to a person. Not giving anything away.

He was about to tell her to be careful.

About to tell her he missed her.

“Be careful, Quill,” she told him.

He whispered a laugh.

“I’ll be in court. Armed guards.”

“You won’t be in court forever . . . And you never know how Offenbach’ll come at you.”

Be careful . . .

Constant Marlowe had said to him the first sentence he’d been about to utter to her.

Would she now say the second?

No. Her next words were: “Need some sleep. I’ll call tomorrow.”

Ah, well.

Quill said, “Wait. Ask you a serious question?”

“Hm?”

“What’re you wearing?”

Marlowe laughed. “Ugly shorts and a tee. The Victoria’s Secret delivery ended up at the other safe house.”

“Bummer.”

They disconnected.

Thursday, April 6

The Right Honorable Hiram P. J. McInnes sometimes joked that with a name like his he *had* to become a judge. There was no other profession that would support the weight.

He was in his chambers, looking over the instructions he'd given the jury in *People v. Ross*. No one ever wanted to lose at anything, of course, but getting it wrong after you'd spent weeks or months navigating one of the more complicated and stressful of all human endeavors was a dark mark indeed.

When a verdict got overturned on appeal, it was usually because the judge had drafted faulty jury instructions. So McInnes was particularly diligent in crafting language that was fair to both sides and that stated the law accurately.

And instructions that were clear.

That was the hardest part. A few things were more complicated than the law—medicine and physics, for instance. The difference was that no layperson ever played a vital role in brain surgery or splitting atoms.

But as he reread the instructions now, he decided he was immune from any attack by the defense.

He sat back in the well-worn leather chair and looked up at the ceiling, which like every other surface in the courthouse—other than marble and oak—needed at least two coats of paint.

And what was the jury doing with those instructions now?

Where were they in deciding the fate of Steven Todd Ross?

And what would that fate be?

Trials involve two forms of inquiry—questions of law (Is the witness's repeating what a bystander told him inadmissible hearsay?) and questions of fact (Did the bystander really make the alleged statement?). The judge decides the law, the jury the facts.

In some situations, though, maybe 20 percent of cases, plaintiffs agree to let the judge handle both. It's called a "bench trial."

If *People v. Ross* were one of those, what would his verdict be?

McInnes reran the highlights of Evan Quill's and Martin Gaine's efforts. It had been fascinating to watch the two: the down-home boy versus the city slicker. Both were at the top of their game. Both had solid tactics and comparable lawyering skills. He liked Quill far better than Gaine, who represented the worst of the profession, but that was irrelevant. Sometimes

those who appeared to be irredeemably guilty were in fact innocent, and it might take a Martin Gaine to save that poor soul from a horrific fate.

Which made American jurisprudence a thing to behold.

Hm. Guilty, not guilty . . .

The judge debated for some moments and decided he would rule for—

His clerk stepped into the doorway. “Sir?”

“Jonny.”

“Here you go.” The slim man of about sixty, the judge’s chief clerk for eighteen years, handed him an envelope.

“Claiming they’re hung already?” McInnes sighed.

How many times had juries quickly grown tired of their tedious and stressful task and reported that they were deadlocked? It was for the judge to cajole them back to work.

Cajole at first, then pressure.

His concern, though, was unfounded.

He opened the envelope and extracted a slip of paper. He frowned as he read and then turned toward the clerk. “It’s a verdict. Call counsel.”



Mere seconds after Judge McInnes robed up and joined his clerk for the short walk to the courtroom, there was a knock on his door. Receiving no response, a man entered. He was a Vandalia County government complex janitor. He had been collecting trash in the General Administration Office downstairs when one of the secretaries, harried and in a bad mood, had handed him a sheet of paper.

She’d muttered, “An email. For Judge McInnes. Like I don’t have enough to do. Could you take it up to him? Thanks, Miguel. I owe you.”

And the stocky, quiet man left the office, scoffing mentally: Owe me, owe me? That’s one debt that is never going to get repaid.

He now set the single sheet in the middle of the judge’s desk.

Your Honor, Have found important evidence in the Ross trial that you must see. Below is screenshot from camera on Harrison High school bus dropping off students on Route 44, March 13. Look at the two people to the left talking and time stamp. I am bringing SD card but

begging you please to pause trial until I do. God bless you. Kevin Rawling.

Neither the words nor the picture beneath them meant anything to Miguel. He turned and left the chambers, calculating how many trash cans needed emptying before he could go home.



There was no way to prepare yourself adequately for this moment.

Some attorneys awaiting verdicts meditated. Some exercised at the Olympic level.

Some had a drink or two. Bad idea, as motions often had to be made following a verdict, and judges—and clients—had more sensitive noses than the drinkers wished to believe.

Evan Quill, back at the prosecution table, took comfort in distraction.

He was looking through a catalog of fly rods. This was for calm only; he didn't need to add to his sizeable collection, from which he invariably kept returning to the two or three that were his favorites.

Today was a brown suit day. This was a good I'm-one-of-you garment, perfect for winning over the jury. Not necessary now, of course. They had already been won over, or lost.

The room was filled. All it had taken was one call to defense counsel and prosecutor that a verdict had been reached and the hordes descended.

Stretching, he looked around. Even scuffed and worn, what a magnificent place was Courtroom 3A. Vaulted ceilings held aloft by *Architectural Digest* pillars. Dark oak half walls below, yellow-painted plaster above. Dozens of pictures of jurists from the past, most of them original paintings.

They were all of old, white men.

Understandable, because at the time they were painted that was the sole demographic of jurists.

Inexcusable, because the world had moved on.

Quill and others had complained to the administrator of court a couple, three times. There'd been no response. He'd toyed with the idea of coming in on the weekend and taking them down to the basement himself. He now

reflected that while this was something Constant Marlowe would do in a heartbeat, a raid of that sort was not in Evan Quill's fiber.

Now with her in mind, he wondered where she was in her hunt for Paul Offenbach across the border in Harbinger County. He wished she were here.

Be careful . . .

Her spoken words.

I miss you . . .

His phantom.

"Never gets easier." Sally Burke was speaking under her breath.

No, it didn't. And she was a veteran of but a mere fifty or so trials.

The door opened and the bailiff intoned the order to rise.

Instant silence followed the shuffle of feet.

The judge entered.

He might or might not know the verdict. Quill couldn't tell. The man was seasoned. He'd learned long ago to affect a poker face.

Quill cut a fast look to the defendant, who today was in a navy-blue suit. He sat with one hand atop the other, resting on the table. Eyes straight ahead, looking at nothing in particular. No expression, completely still.

His family was behind him once more. They were no longer praying. Why bother? Like Quill's suit shade, supplication wouldn't do any good at this point. The jury was no longer subject to influence from either fashion choices or the Almighty.

A half dozen members of Deputy Cynthia Hooper's family were present too. Quill turned and looked at her mother, gave a confident smile. Her face was as blank as Steven Ross's. Justice would not bring back her daughter.

She nodded, then turned away.

Judge McInnes looked up from some notes he'd been making, then said to a bailiff, "Bring them in."

The jury filed inside and took their seats. They avoided looking at the defendant or the prosecutor. Their eyes found refuge with the judge.

"What do you think?" Quill whispered to Burke.

"Can't tell. Just can't goddamn tell."

"Ladies and gentlemen of the jury, have you reached a verdict?" His voice was more solemn now than during the trial. Adopting this tone was a ritual with McInnes.

The forewoman, about fifty, in a stylish dark-green dress, rose. “We have, Your Honor.”

The verdict would be read in ascending order from the lesser charges up to the more serious: conspiracy to commit theft, theft, involuntary manslaughter, voluntary manslaughter, first-degree murder.

To those in the gallery, it might seem that the only verdict that mattered was the last one—murder—and it would be pronounced with peak dramatic timing and intonation: the scene just before fade-to-black in a courtroom movie.

But there was a hurdle—a threshold charge that Ross *had* to be found guilty of, or the entire case would fail. Felony murder requires the defendant to be guilty of an underlying crime—in this case the theft of the drugs or conspiracy to commit theft.

Without a guilty verdict on one of those charges, there could be no murder conviction.

“Will the defendant stand.”

Ross and Gaine rose to their feet. The three minions too. They looked nothing alike but gave the impression of being triplets.

“Will the forewoman of the jury please read the verdict.”

She opened the sheet of paper she held.

This was it.

“On the charge of conspiracy to commit theft, 720 ILCS 5/8-2, we the jury find the defendant not guilty.”

Quill was frozen, his breath arrested. He glanced quickly at Burke. Her lips, slightly pink, were parted. Her face was as expressionless as his.

There was still hope. One can be not guilty of conspiracy, yet guilty of the offense itself. That would still support a murder conviction.

“On the charge of theft, 720 ILCS 5/16-1, we the jury find the defendant not guilty.”

Quill closed his eyes. Death knell.

It was over.

Gaine put his hand on Ross’s arm and whispered the implication to him. The defendant lowered his head and seemed to exhale long. The courtroom, though, remained tense and silent. They wouldn’t know what had just happened, other than an acquittal for two of the lesser charges.

Quill had included the manslaughter charge as a technicality—in case a surprise witness blurted he’d seen Ross actually assault Cynthia. This had

not happened, so not guilty was the only conclusion.

All that remained was the formality of the final verdict.

“On the charge of first-degree murder, 720 ILCS 5/9-1, we the jury find the defendant not guilty.”

The courtroom was instantly filled with voices loud and voices soft, faces joyous and faces dismayed. Shuffling of feet, jostling. Shouts and mumblings.

In his most baritone voice yet, Judge McInnes warned, “Order.” No gavel was necessary. The gallery grew quiet quickly. He then pronounced, “The judgment of this court is that the defendant—”

It was then that the double doors to the corridor burst open and a disheveled figure pushed into the room, gasping for breath and crying, “Wait! Please wait!”

Quill blinked. He recognized the man as someone who’d been in court for the early days of the trial.

The judge glanced up but continued, “. . . Steven Todd Ross, is found not guilty on all charges. The judgment is so entered.”

“No!” the intruder cried.

Judge McInnes signed a document before him, then glared at the intruder.

Who dropped to his knees. It seemed that he hadn’t shaved or donned new clothes for several days. And that he’d sprinted full out to the courtroom. He was breathless and sweat patches were evident under his arms. “You have to stop the trial!”

“Bailiffs! Escort that man out of here.”

Two uniformed men moved in fast and took his arms. They were big and he was not. He winced from the fierce grips.

“I’m sorry, Your Honor,” he called over his shoulder. “My email! Didn’t you see my email?”

The judge cocked his head. Then: “Wait. Let him go.”

The men complied and he turned.

“Can I speak to the prosecutor, please?” the intruder said.

Judge McInnes glanced to Quill, who nodded.

The courtroom grew pin-drop silent again.

“Proceed. Briefly. *Extremely* briefly.”

The man hurried to Quill, who said, “I saw you here earlier.”

“My name’s Kevin Rawling. I found some evidence about the case! I sent it to the judge.”

“Evidence?”

Rawling held up his phone. “I’ve been looking for something like this for the past two days. Ever since you caught Ross in that lie about changing the tire on the thirteenth.”

Quill’s sense of bewilderment gave way to shock as he stared at the image on the mobile’s screen.

“Shit,” Quill snapped.

The judge warned, “Mr. Quill.”

He didn’t apologize. “Your Honor, may we approach the bench?”

“I think you better.”

He and Rawling both walked forward. “Mr. Rawling has found a photograph relevant to the case.”

“You are who?”

“The deputy who was killed, Cynthia Hooper? She was my cousin. I’ve been looking for evidence that Steven Ross was working with Offenbach. And I found it. I sent you a copy.”

Rawling steadied his shaking breath. He swallowed, then continued, “I tried to call Mr. Quill and my family but their phones were off. And the switchboard here wouldn’t put me through to you. So I sent you a copy at the government center email address.”

“Kevin, honey,” Darla called from the gallery. She was Cynthia Hooper’s mother, which made her Rawling’s aunt.

The defendant and his family stared at Rawling, their faces concerned and dark with anger. Ross’s eyes were nothing short of homicidal.

Gaine said, “Your Honor, the verdict has been read and you’ve issued the—”

McInnes growled, “I am well aware of what is happening in my courtroom, Mr. Gaine.”

“I’m sorry, Your Honor.”

Though he was not. Not in the least. His face hovered halfway between smug and gloat.

“And this photograph, Mr. . . . ?”

“Rawling. Kevin Rawling. It’s a screenshot from a video taken by a school bus on March 13, on Route 44. It shows two people in a parking lot. They were standing beside the Allied Transport Sprinter, the one that was

stolen.” He held up the phone for the judge to see. “It’s Steven Ross and Paul Offenbach. I think they’re about to drive it up Old Bennett Road and break into it there. The time stamp is a half hour before they murdered my cousin.”

Gasps of various decibels and tones throughout the room. Shock and dismay predominated.

“How did you come by this?”

“My aunt Darla—Deputy Hooper’s mother—texted me two days ago. She told me Ross lied about where he was before the murder. I started looking for a video that proved he *could* have been at Old Bennett Road in time to kill Cynthia.”

But he’d found something better. Ross with the mastermind of the theft.

He’d driven from Garth straight down Route 44 to meet Offenbach and then driven to Old Bennett Road. The plan to kill Hank was as fictional as the flat tire.

McInnes’s opulent judicial eyebrows furrowed as he reviewed the shot. It was in color and high def and there was no doubt about the two men’s identities, or that the truck was the stolen one.

Those in the jury were frowning and talking among themselves; they’d be trying to comprehend what had just happened.

And wondering what, if anything, they’d done wrong.

Cynthia Hooper’s mother called, “Your Honor, please. Listen to him!”

Her sister yelled, “Mistrial! There has to be a mistrial!”

The judge handed the phone back.

His eyes were fierce as he stared at Gaine and Ross. But there was, of course, nothing to be done. Evidence of *innocence* following a guilty verdict can be grounds for a new trial. But evidence of guilt after an acquittal—never. The Bill of Rights’ prohibition against double jeopardy prevents it.

Even a confession, accompanied by the defendant’s goddamn smirk, couldn’t get a verdict set aside.

Judge McInnes gave a shorter version of the rule of law to the courtroom: “Under the Constitution, a new trial isn’t a possibility. The verdict stands.”

And Ross could not in the future be charged on the one count Quill had not brought—second-degree murder. It didn’t apply on these facts.

The Hooper family was shouting angrily. Darla cried out, “This’s bullshit!”

Language was not an issue at the moment. The judge didn’t touch the gavel. He said, “Nothing to do. I’m sorry, Mrs. Hooper.”

“But he lied! He took the stand and he lied.”

“And the state can pursue a perjury charge if Mr. Quill wishes.”

Gaine looked toward Quill with a shrug that said, Fine with me. I could use another fifty thousand.

The prosecutor knew, though, that it would be a difficult case and even if he won, the punishment would be a wrist slap.

A loud crack as gavel hit base.

“This court stands adjourned.”



In front of the courthouse, downtown Hopewell, was a rectangle of grass in which sat an olive-drab cannon that seemed too small to do any damage to the enemy.

The weapon, whether real or a mail-order decoration, reminded Quill of his philosophy of prosecution as combat, the opponents as enemies. Today the diminutive weapon was a mocking icon of his defeat.

This was one war that had been lost on all fronts.

He, Sally Burke and Kevin Rawling stood together on a sidewalk bordering the park. Nearby, Cynthia Hooper’s family and friends huddled, with arms around shoulders, hands gripping hands. Tears were blotted with tissues. Mobile phone calls were made. Several heads were lowered in prayer.

Before joining the prosecutors, Rawling himself had just concluded a word to God with his mother and aunt. Quill wondered if, over the past few days, he’d prayed for help in finding evidence of Ross’s guilt.

You could look at it that the Almighty had indeed come through.

But on the issue of timing, He had stumbled.

Rawling was explaining how close he’d been to his cousin Cynthia when they were growing up—playing on the porch of the house he and his family now lived in, spinning in the tire swing that still hung from the tree in the front yard.

He said, “I decided I’d do anything to find evidence against Ross.” He told the attorneys he had hit as many security cameras as he could locate along Route 44 to prove the man could have been at the scene when Cynthia had been murdered.

“I didn’t think people would help if they thought I was trying to find evidence to *convict* Ross—in the press his family and friends called him ‘an upstanding Christian man.’ So I told them he was a relative and I wanted to prove he was innocent . . . So he’s a free man? Nothing to do?”

Quill said, “He’s a free man.”

Thumbing her rose-tinted pearls, Burke whispered, “What happened, Evan?”

He was thinking: Apparently she didn’t need to worry about me casting any spells and conjuring up an erroneous verdict of guilty.

What if he’s innocent . . . ?

“Some technical issues. Forensics weren’t strong. The underlying theft case? We never found more than a trace of the drugs on Ross. Gaine gave them an alternative suspect—the Route 28 mystery man. That’s always good, even if they’re fictional. We couldn’t get the tape admitted. But the real problem was we got played.”

Rawling asked, “What do you mean?”

“Voir dire.”

“That’s the jury selection process,” Burke explained.

Quill continued, “Each side has the right to exclude some potential jurors for no reason. It’s called a preemptory challenge. I’d have to look back but I think Gaine rejected anyone with names that suggested they were Jewish or Islamic. He wanted Christians. And those three clones of his probably did full bios on the entire pool. Made sure they were affiliated with churches and the more conservative the better. I noticed at least three or four were wearing crosses.”

When he realized this, he felt a hollowness within him, akin to what he’d felt when Constant Marlowe hurried out of his bedroom Tuesday night, without a look back.

But there was a difference. Marlowe had been honest with him all along about her intentions.

His jury had cheated; it had betrayed him.

“A devout man turns his life around, dumps crime, alcohol and drugs, embraces Jesus . . . Willing to go to jail to save children from a pervert.

Prays in the courtroom. Comes from a family of religious folk. They were praying too. Every day.”

Rawling said, “So it was all a big act?”

Quill didn’t need to answer other than to say, “Take a look.” From around the back of the courthouse Ross and his wife appeared.

“Shit,” Sally Burke muttered.

The actors were no longer in costume.

Jackets and ties had been shed. Ross no longer wore studious glasses and his sleeves were rolled up, revealing extensive tats, including a blue-and-black Nazi swastika on his forearm.

And on his neck: an elaborate rendering of a rattlesnake.

Quill had never seen the neck ink. He realized why. Ross was permitted to see his wife while he was in detention. She’d brought him foundation makeup. It had now been wiped off.

The wife was no longer in her suit jacket either. The top two buttons of her blouse were open and Quill could just make out the start of inking on her left breast. She lit a cigarette as soon as they stepped outside.

Her cross was gone. Had she thrown it away?

Rawling asked, “Did the defense lawyer get tricked too?”

“Probably. He wouldn’t risk suborning perjury. Though he didn’t ask too many questions.” A wave of anger passed through Quill, uncharacteristic.

He broke off from the others and strode to the defendant. The man glanced toward his wife, “Call him. Tell him we’re out.” She walked away, pulling out her phone.

A blank expression on his face, Ross regarded the lawyer.

The prosecutor said to him, “You *are* married, Ross, and you have a son. But the rest of the cast? That kid?”

He offered a faint smile. “A buddy’s nephew. Cleaned up well, considering who he really is. My boy? He lives with his mother in DeKalb—when the little shit’s not in juvie.”

“And the rest of your quote ‘family’? You related to any of them?”

“Not a soul. Part of Offenbach’s crew. Nothing illegal, what we did.”

Witness tampering was one thing; spectator tampering was not an offense.

“And the minute you were collared, Offenbach had you reinvent yourselves as a good Christian family on social media.”

“Pretty much.”

In a low voice, Quill said, “That *was* your voice on the tape that Offenbach made—of him torturing Cynthia.”

Ross said nothing, possibly believing a confession to that might somehow bring down the house of cards that got him acquitted.

But he didn’t need to speak. It was clear that he’d been there and watched her pain, watched her death, even if he hadn’t participated.

Evan Quill was suddenly possessed with what Constant Marlowe would feel—not rage, but a cold desire to swim beneath the law and gut Ross like a fish.

In this moment he understood the woman perfectly.

Ross’s wife called to him, “He’s here.”

The man joined her; she was now looking every inch the sex trade worker, no longer a Sunday school teacher. They stopped at the curb, where a van was pulling to a stop. On the side were the words, “Henrietta’s Florist.” The driver, a stocky man with thick black hair, got out.

It was Ross’s brother, the one who had been in the courtroom occasionally. Sally Burke’s research had revealed his name was Travis. Quill had wondered if he had been the third man at the robbery and Cynthia’s murder. There was zero evidence connecting him to the crime; now it was clear he was.

After embracing each other, the men separated and a grim-faced Travis spoke to Ross and his wife. Whatever he said clearly shocked them both.

Quill wondered what the news had been.

He soon got the answer.

Sally Burke had just switched her phone out of airplane mode, where it had been snoozing per Judge McInnes’s blunt instructions. She said urgently, “Evan!” And held up the mobile phone.

He powered on his own cell and heard several dings of texts jockeying for position number one.

The first was from Constant Marlowe.

Got him.

Rawling, seeing his face, was frowning.

Quill explained, “Illinois state investigator. She’s just collared Offenbach in Wisconsin.”

“Thank you, Lord!”

Then Quill wondered if “got” really meant “collared.” Concerned, he scrolled.

No. She hadn’t murdered him. He’d been arrested and was presently being held in the Harbinger County lockup. Quill would complete the extradition papers tonight.

“Tell your family. And tell them that we have video of Offenbach at the scene and forensics placing him there. It won’t be like this. He’s not going to walk.”

Ross was staring back at Quill. Fury had replaced the icy, still gaze. The prosecutor remembered Marlowe’s warning from last night in their telephone call.

Be careful . . .

But Quill didn’t care. He gave a cool smile to Ross.

Grim, the two brothers and Ross’s wife climbed into the florist truck and sped away.

Rawling stepped to the family and delivered the news about Offenbach’s arrest in Wisconsin. Darla Hooper’s face brightened and she looked toward Quill with a smile and a nod.

Quill and Burke started in the direction of the DA’s office but then he stopped.

“You go on,” he said slowly. And pulled out his phone. He made three or four calls. Just as he disconnected from the last one, his eyes took in the black limo parked at the curb. Defense attorney Martin Gaine was walking toward the vehicle. His step seemed cheerful. The trio of youngsters was climbing into an SUV of the same shade.

“Martin,” Quill said and the man stopped, turned.

Gaine said, “Was a good fight, Counselor. I know, I know . . . You’re going to ask if I knew he was guilty.”

Quill, standing tall now, the stoop gone, said nothing.

Gaine asked, “You ever done defense work?”

“No. Always prosecution.”

“The rule is you never ask if your client’s guilty or not. It isn’t relevant. You only ask for the facts to help you win the case.”

“Or lies to help you win.”

Gaine flicked some distasteful pollen off the sleeve of his rich suit. “Do I feel bad it turned out the way it did? Of course.”

No, he didn't. If he were the least troubled by releasing scores of despicable individuals back onto the streets, he'd put in his résumé for a different line of work.

"Just something I wanted to mention, Martin."

A tired grimace. "I should go."

"Just thinking of the rules about third parties paying your client's legal fees."

A laugh escaped the dapper man's lips. "Well, of *course* someone else paid Ross's fee. My bill's going to be \$200K. And he runs a small-town cartage company. Come on, Evan. Not my first rodeo. I'm in complete with the rule."

American Bar Association Rule of Professional Responsibility 1.8(f), setting out standards for somebody else paying your legal bills.

"Don't doubt it. But . . . you find it interesting that a church was paying?"

"Churches a lot of time foot the bill for their parishioners' fees. Even when they're guilty. Which, frankly, is most of the time."

"So. The church contacted you about representing Ross?"

Gaine eyed him warily. "That's right."

Quill was nodding slowly. "And it was the Brethren Church of Our Jesus Christ?"

"Something like that. I don't know. What is this, Quill?"

"I was thinking—since the Rosses weren't the born-again crew they seemed, then they wouldn't've been members of the church."

"They might've been."

"Grant you. But they weren't. I checked. The church doesn't have any affiliates in Illinois. And there are no parishioners named Ross from Hopewell, Illinois."

"That's crazy, Counselor. I talked to the minister myself."

"Really?" The mussed-hair prosecutor mussed his hair yet again.

Theater . . .

Quill was overacting, but he didn't care.

"I think the 'minister' you talked to was really Paul Offenbach."

A blink.

"And the Illinois Secretary of State registered an LLC two weeks ago. Church of the Brethren."

"But—"

“It’s not a nonprofit religious organization. It’s a commercial corporation. The manager’s based in Nassau, the Bahamas. The same address as one of Offenbach’s operating companies.”

Gaine’s face blanched and his mouth drifted open. He tried to assemble some composure. Sunlight flashed off those marvelous knots of cuff links as he wiped his lip with uneasy fingers.

Quill continued, “So that \$200K fee you just earned is illegal offshore money.”

The facade shattered. The stage baritone was long gone. He whispered, “I swear, Evan . . . I didn’t know. I swear!”

“You don’t have to plead your case to me.”

He started for his office.

“Evan?” This whisper was infused with . . . What was it? Fear, maybe. “Wait.”

The prosecutor regarded him.

“You’re not going to report it, are you?”

The Illinois State Bar Association issued an opinion some years ago that stated “a lawyer has no different duty than any other person to report a crime” committed by a nonclient. That meant that Quill had no obligation to report the illegal money to either the bar association or the authorities.

“Tell me,” Gaine whispered. “Please . . .”

Quill brushed a tangle of hair from his forehead. “Have a good trip back to Chicago, Martin.”

The prosecutor started along the sidewalk, recently blown clean of mulch and clippings, a route surrounded by plantings and gardens. Azaleas were budding and some early lilac perfumed the air. He passed a dozen buildings, red brick or wood, some of which dated to the days of the famous lawyer Clarence Darrow. A few would have been here earlier than that—when Abraham Lincoln practiced in Illinois. To Quill’s knowledge, the future president had never visited Vandalia County, though he had been to Rockford, not terribly far away, for the Manny Reaper trial (despite the lurid name, it was a patent suit, not the trial of a serial killer wielding a particularly disturbing weapon).

Odd how fate works, Quill thought as he ambled, wincing slightly as his backache reared anew.

Fate . . .

He'd lost the case, yes. But one result was that a lawyer who was responsible for turning some very bad people loose on society would very likely no longer be doing so.

That was something. The phrase came to him: unexpected justice.

It sounded like the title of a legal thriller.

Maybe he'd write it someday.

Quill held that thought for all of ten seconds before it fluttered away. He climbed the steps to the DA's office and, pulling out his phone, hit the number that was top on his contact list.



Evan Quill glanced over a number of freshly dug graves in the Garden Springs Cemetery, just north of Hopewell.

This gave the impression of a recent mass disaster. But no. Because the northern Illinois soil doesn't thaw until late March or April, funeral homes store coffins containing the winter deceased until the spring, when backhoes can once again dig six feet—or however deep they dig—into the earth.

He saw Constant Marlowe on a bench.

“Hey,” he said. “New scar.” He sat.

Her hand went to her cheek. “Broken bong.”

“All right.” Nothing from this woman would surprise him. “Been in touch with the Harbinger County DA. And Sheriff Braddock. We're good.”

“Ah.”

Extradition was not a complicated process but the interests of two governments and one defendant had to be balanced.

“Hearing'll be in a couple weeks, Upper Falls. April 20. Offenbach'll be back here for trial the next day.” A glistening blue-and-black grackle swooped nearby. Eerie . . . and completely fitting in this particular locale. “You have any idea where they've gone, the Ross brothers?”

“None.”

“Steven's immune,” he said. “Unless we find something else he's done. Possession, weapons, receiving stolen. We can still nail Travis for felony murder.”

“I'll find them,” she said quietly.

He watched her looking over the neatly trimmed grounds at Cynthia Hooper's grave. Marlowe's face was, understandably, somber. But was part of this blaming him for stumbling with the Ross case?

Maybe.

But then again she too had failed at her mission: Paul Offenbach was still alive.

Her gray eyes remained on the grave, then lifted to watch a backhoe hard at work transferring someone from a temporary hibernation to one that would last forever.

"You would've ended up in jail."

"I've been in jail before."

Had she? Another surprise.

"At the least you would've lost your badge."

"There're other jobs."

They fell silent, now both gazing at the deputy's simple tombstone, etched with a sheriff's star above her name and the two dates, the duration between them so very short.

Then at exactly the same moment they understood that the time for these moments of respect had ended. There would be others and memorials and wine and tears but now their jobs loomed. She had perps to collar; he had cases to try.

They walked toward their cars. He noted she had a faint limp she had not had when she'd left his bedroom on Tuesday night.

Evan Quinn would not ask if she was all right. He might comment on her well-being, but, as with the scar, he'd learned that she did not take to questions about her health.

Quill felt an urge to put his arm around her shoulders but he did not. It wasn't a question of being appropriate—contact would have been fine, given their history—but he concluded that it was a gesture that belonged to a life with someone other than Constant Marlowe.

What he had with her was undeniably good—affidavits, beers, the occasional dinner, the occasional bedroom. It was the kind of good that worked in a world where that commodity was far too rare.

It would do for the time being.

But Evan Quill knew that, ultimately, he wanted a girl who *would* spend the night.

That was a fact.

Though, he couldn't help reflecting, it might just be one of those facts he encountered every day in the courtroom: one about which the jury had not yet finished deliberating.

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ABOUT THE AUTHOR

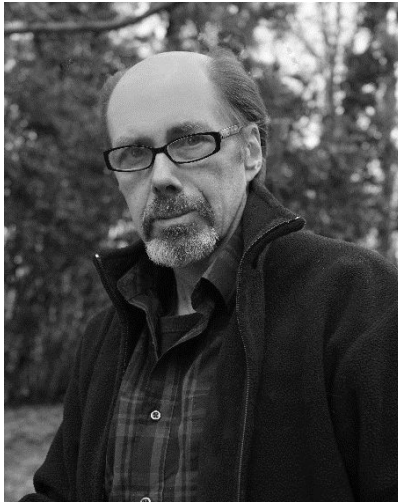


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Jeffery Deaver is the *New York Times* bestselling author of forty-five novels and eighty short stories. His books are sold in 150 countries; have been translated into twenty-five languages; and have received or been short-listed for dozens of awards, including the Edgar, Anthony and Shamus.

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