

AN EDDIE FLYNN NOVELLA



STEVE CAVANAGH

THE CROSS

The Cross

Steve Cavanagh

An Eddie Flynn novella



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Prologue

Big Freddy Marzone told a lot of lies.

I thought that for most of his testimony, he'd stuck pretty close to the facts in the mistaken belief that somehow this would save him, that the droplets of lies, scattered here and there, would be lost in the wave of truth. Truth is what you tell your priest, or your spouse, or your parents. Once you open your mouth on the stand, you speak only to what you can prove—doesn't matter if that's true or false.

Marzone thought he could prove it all.

The only sound in the courtroom came from Freddy's chest. He wasn't asthmatic, but when your chest was the same size as an oak whiskey barrel, even breathing normally makes a damn racket. He'd given his testimony without sitting in the steel-framed chair, which sat in the middle of the witness stand. Freddy's ass could not be accommodated by most chairs. They called him Big Freddy, or Slab Freddy, because he was roughly the same size as a '76 Cadillac Fleetwood. Probably weighed as much, too, although you couldn't really call him fat. He was carrying a few extra pounds, sure. Let's call it an extra seventy pounds. But the weight was distributed pretty evenly over his huge, six-foot-nine-inch frame. His shoulders were wider than the witness stand, his hands the same size as stop signs, and his head looked like a cinder block with ears.

A big guy. And a big lie. One that I could use to punch his ticket in a heartbeat.

My mom used to say that the only difference between a con artist and a lawyer was that the lawyer wore a better suit. I'm a lawyer, so I have to disagree with that statement; a con artist would always wear the better suit. At least with a grifter you know their motives are clear—the basement man

is always gonna deal himself a high card from the bottom of the deck; the short-change artist practices to confuse the hell out of store clerks with fast talk and quick hands; any offer from a 419 mailer is too good to be true. Yet the attorney on his feet, in full flow, will con you just as fast. The real difference is that the con artist knows he's a con artist—the lawyer thinks he's on the side of the angels. I'd lived the life of a con artist, and nine years ago I gave it up to become a lawyer. After my career change I found myself doing the same thing—pulling the same moves, except this time my victims were prosecutors, juries, and judges, and I billed by the hour while wearing a suit that came off a rack.

Oh, and I was supposed to be one of the angels.

There were few angels in this courtroom. Not the witness, Marzone, or me. The only innocent in this whole case was my client, the plaintiff, Maria Hernandez. She sat beside me, fresh tears running down the worn tracks in her makeup. Some lawyers encourage their clients to cry at appropriate moments in the trial to give emotional punch to their arguments, preying on the jury's heartstrings. I didn't need to do that. Maria's emotion was genuine: grief, anger, joy. The joy came every now and then when she felt the baby kicking. She was due in two weeks. Strands of long black hair stuck to her wet cheeks. Brushing them away, she wiped at her eyes with a Kleenex and gripped the table, like I'd told her. *Hold on to something solid. Grab the desk—use it to anchor yourself physically and mentally.*

To my left sat the defense tables. Two defendants, two tables. Freddy Marzone was the first defendant named in my lawsuit, and Marzone's lawyer was a real piece of work in his own right. His name was Vinnie Federof. The advertising board at the bus stop opposite his office told you everything you needed to know about Vinnie.

Been charged with a crime?

Have you been sued?

Call Vinnie Federof!

He will GET-U-OFF!

My partner in the law, Jack Halloran, said Vinnie's sign had "a certain charm to it." That tells you a lot about Jack, too.

While Jack and I couldn't afford decent wardrobes, Vinnie got his suits custom-made by a tailor in Upper Manhattan. All of his suits were a bright, vomit-inducing blue, and he wore them over white, monogrammed silk shirts and power-red ties. He was a good-looking guy in his late forties, and two games of racquetball a week at his exclusive club kept Vinnie in great shape. That was his thing; he liked to look good. Bleached white teeth, gold beach tan, and silver hair swept back with enough gel to hold an aircraft carrier steady.

For the past three months Vinnie had been bleeding us dry. Running a case like this costs a lot of money—and Vinnie hit our cash flow by systematically stealing our best clients.

All is fair in civil litigation.

"Mr. Federof, do you have any further questions?" asked the judge.

Ignoring the judge, Vinnie continued to check his notes, pretending he hadn't heard Judge Winter. His Honor, Sam Winter, District Court Judge and former prosecutor, obviously felt as though he'd heard enough from Marzone.

I had a steel-plated question for Marzone. The kind of question that changes the whole nature of the trial and every single piece of evidence that had preceded it. In cross-examination the answer to the questions are irrelevant. It's the question itself that's important. I had that killer question for Marzone that would blow a fist-sized hole in his entire case.

"Nothing further, Your Honor," said Vinnie, closing his notebook and sitting down.

The attorney for the second defendant named in the lawsuit got to his feet, told the judge he had no questions, and sat down again as though his work for the day was done. The attorney for the city of New York, Alfred Boles, was pushing sixty and had seen this all before. The city employed Freddy Marzone, and it was being sued because in the eyes of the law, if an employee hurts somebody during the course of their employment, the employer is just as liable as the employee: vicarious liability. Normally, the employer's attorneys act for the employee as well. Not in this case. See, the city was making two arguments. First, that Maria's case was bullshit. Second, if Maria's case wasn't bullshit, and she won, then by definition, the city could not be liable for Freddy Marzone's actions because they were way outside the ambit of his employment.

Vinnie had just one argument, that we had no evidence against Marzone.

The facts of the case were simple and our points were real easy to understand. We alleged that on the night of October tenth, Detective Freddy Marzone, of the eighty-ninth precinct detective squad, murdered Maria's husband, Chilli Hernandez, in cold blood.

That made my question worth around thirteen million dollars in damages. A small price to pay for the life of a husband.

Behind me, I heard a clicking sound. I turned and saw a man in a checkered suit, pale brown shirt, and gray tie. His dull gray hair had been slicked back, and yet thin strands still drooped over his forehead. His face looked like a road map; blue and red veins stretched across paper-white skin and all of it laminated in a thin sheen of sweat. A cigarette was perched behind his ear, and a gold Zippo tumbled around in his right hand.

He flicked open the lighter with his thumb. Snapped it shut.

Click, click.

His eyes skirted the judge and the jury, making sure his movement would be unobserved. When he was satisfied no one was watching, he drew the sign of the cross over his heart.

A reminder, for me.

I checked my watch. A little after three o'clock. If I pulled the trigger and asked my killer question, my client would be an instant millionaire and I'd likely be dead before nine thirty. Along with my pregnant client and Jack, too.

My partner put his arm around Maria and whispered something reassuring. Her knuckles were white against the dark wood of the plaintiff's table, nails digging into the grain. The tears came afresh.

I had two choices.

Flunk the cross-examination, lose the case, and avoid a date with Mr. Zippo.

Or do what I'd sworn to do, what I'd promised Maria I would do—ask the right questions and win the case.

Jack leaned back in his chair, so that our client wouldn't see him, and shook his head. We had been warned already—*just tell the judge you have no questions for Marzone.*

No questions.

Maria had come to see me eight months ago because she had questions that demanded answers. Answers for her. Answers for her unborn child.

The question was a hot stone burning in my head.

I bent over and placed my hands on the desk. My notes were right in front of me.

The jury was waiting. The judge was waiting.

Click, click, went the Zippo.

I checked my watch again, and at 3:05 p.m. I opened my mouth and the words came flooding out.

I didn't tell the judge I had no questions for the witness.

I didn't ask the case-ending question, either.

Instead I did something nobody expected, least of all me.

Chapter One

Twenty-four hours earlier

“I got a text message from Vinnie. There’s an offer in the Hernandez case,” said Jack.

He didn’t sound too enthusiastic. Then again, Jack didn’t get excited by anything to do with the law, or the cases we ran together. The only thing that got his blood up was a big stack of chips in the middle of a poker table and a pair of aces in his bony hand. He was tall and skinny, and seemed to survive on coffee and nicotine patches.

“How much?” I said.

“Not enough,” said Jack, getting up from behind his desk. He slipped his suit jacket on and picked his car keys out of a ceramic bowl that sat beside his laptop. Checking his pockets, he made sure he had his wallet with him, and then he continued to pat himself down. From a desk drawer he lifted a pack of cards and slid them into his pocket.

“Jack, you gotta be kidding me. We’ve got a trial in the morning. Tell me you don’t have a game tonight.”

“It’s not a game. How many times have I told you? It’s work. Besides, we need the cash; we’ve poured every last cent into Maria’s case. How much did the last expert’s report cost? Five thousand?”

“We needed it.”

“Well, *I* need my rent. I want to eat out somewhere that isn’t Ted’s Diner. Even if we win the case and hook the city into damages and get an award of five or six mil, the city will appeal and we’ll have another few months of negotiation before we settle the damn thing. On the other hand, we could win against Marzone and not the city. In that case, he’ll slip into bankruptcy

and we won't get a cent. If Vinnie hadn't been poaching our paying clients, it would be easier, but there it is. This is a long game, Eddie. If you want to keep the lights on until then, let me go get us some dough," said Jack.

"What about that robbery case? We got a ten-grand retainer last week. What happened to that?"

Taking a billfold from his pocket, he peeled off two C-notes and placed them on my desk.

"That leaves me an eight-hundred-dollar stake. The rest went to office costs and filing fees. And you thought *I* was gambling—if we lose this case we're going under."

I shook my head. Hernandez was my case, and yeah, it had cost a lot to set it up, but I was sure I could win it. And if we won, the payoff would keep us going for the rest of the year, at least. Secretly, the thought of losing the case terrified me. I didn't want to admit, to Jack or myself, just how big a gamble the case had proven to be.

"We got money coming from other clients. I've got twenty grand in outstanding bills," I said.

"Get a grip. Your client Pete Tulisi came in here yesterday with fifty pounds of tuna. Said he couldn't make a payment on his bill this month and this might keep us going for a while. Marion took most of it. What's left is in the refrigerator. You better take it home tonight. I can't stand fish."

Halloran and Flynn, attorneys at law, had only one employee: Marion Page—a sixty-three-year-old legal secretary who knew more about criminal and civil procedures than Jack and I put together. She didn't type—she hammered out correspondence. And in the last year she'd burned through three laptops. When Jack told her the fourth laptop would come out of her paycheck, she lightened her touch—and darkened her mood. I classified myself as a decent fighter, and I knew Jack could handle himself. We were guys who wouldn't shy away from a right hand, no matter who was delivering it, but we were both kinda scared of Marion. She didn't work late. Point-blank refused. Thank God; it was difficult enough to find the money to pay her regular salary. If she ever decided to do overtime, either I'd have to sell my car, or Jack would need to get lucky at the table, real lucky.

"Pete can't always pay his court fine *and* his legal fees. Way I see it, it's better to let him pay the fine. If he defaults on the fine, he goes to jail; then he can't work and we'll never get paid."

“We ain’t getting paid right now.”

“He’ll pay. When Pete can spare it, we’ll get it. Besides, his mom works in city management. It’s good to have those kinds of connections.”

“Yeah, right. I’m outta here. If anyone is lookin’ for me, I’ll be at Manny’s or Hanzo’s. You got the phone.”

“Hey, you didn’t tell me what the offer was from Vinnie.”

“Twenty-five,” said Jack.

“Twenty-five thousand? That doesn’t even cover our outlay.”

Jack snorted, put on his coat, and said, “Eddie, wake up. The offer was twenty-five hundred. I think Vinnie knows something we don’t.”

And with that, my partner left our tiny studio office in Harlem with the front door shaking in its frame. It was a measure of Jack that he could make more money at a Triad poker game in a single night than he could bill in legal fees in a whole month. Turning over trials and plea bargains wasn’t Jack’s style—he was the rainmaker. He brought in the clients, good and bad. I did most of the trial work. Somehow it all came together as a business.

A two-man business with a secretary who had more legal and business sense than the both of us.

On the other hand, Vinnie Federof operated as sole partner with half a dozen junior lawyers backing him up. The more I thought about his offer, the more I thought Vinnie had some trick up his sleeve. He was notorious with juries. Up until 2003, under the penal code, it was an offense to tamper with or attempt to influence a juror prior to the jury delivering their verdict. That created a loophole which Vinnie exploited. Obviously, he couldn’t influence the jury before the verdict—but he did plenty afterward. If Vinnie won his case with a verdict from the jury, he made a point of taking all twelve jury members out to an expensive dinner and treating them to a night in a hotel. Lot of people couldn’t see the point, especially considering the case was over. Well, thing is, word travels fast. Don King used to do the same when he was dragged through the courts in a series of cases in the early nineties. If he won his case, Don put the entire jury up in a hotel in Vegas for the weekend and gave them tickets to Holyfield or Streisand or whatever they wanted, and he publicized it. There were pics in all the dailies of Don and his jury. Don’s theory was that the next jury hearing one of his cases might be inclined to give him a favorable verdict in the hope

that they would get a weekend away and tickets for a show. Vinnie had tried this, too, and it had worked until the loophole was found and closed.

That didn't stop Vinnie from doing whatever he could to influence jurors, but I remembered that during jury selection, he'd missed a couple of questions I would've asked the jurors if I were representing Marzone. I'd thought Vinnie would sack juror eight in the Hernandez case, but he let the juror slide. That worried me—Vinnie hadn't done his homework for jury selection. Maybe he didn't need to and there was something else in his armory I hadn't thought about. Maybe the poor offer was just tactics.

Before Jack had left the office, he'd said the words that I hated the most: *You got the phone.*

A cell phone rested on a stack of files beside Jack's desk. I picked it up and made sure it was on. We had a dozen desk sergeants in as many precincts on the payroll. They gave us a heads-up if any juicy arrests came in—like a murder or a robbery. We'd get the call before the person in custody got a chance to call their own lawyer. Most times, when we got there before they'd made their call, we got to keep their business. That's *if* I answered the damn phone in the first place. I hated cell phones, a hang-up from my days as a hustler. Carrying a cell, even a secure throwaway, was just like putting an electronic tracker on your clothes. With the business I was in, I didn't want the cops knowing where I was and who I was talking to. So more often than not, I'd ditch the cell phone, knowing that if someone wanted to get ahold of me, a call either to the landline at Ted's Diner, my home, the office, or the payphone at the Chambers Street courthouse would eventually track me down. I stuffed the cell in a drawer and slammed it closed.

I glanced at the clock on the wall. It was ten after six, and I needed to call home. I picked up the receiver and was happy to hear a dial tone. At least the phone lines hadn't been cut for nonpayment.

"Hi. It's me. I should be back around seven thirty. Keep Amy up if you can. I'd like—"

"She doesn't want to see you," said my wife, Christine. She sounded tired. Either physically, or maybe she was just tired of me.

"What've I missed now?"

"Her recital."

"Shit. I knew there was something else I had to do today. I'm sorry. I clean forgot about it. Was she upset?"

“Sure was.”

“Was she any good?”

“Of course not. It was a bunch of fifth graders murdering ‘When the Saints Go Marching In.’ It was terrible. That’s not the point, Eddie.”

“I know. I’m sorry. I’ll take her to the park over the weekend, and the movies. I’m leaving in—”

The desk began to vibrate—a violent burr that I felt in my fingertips.

“There’s a call on the office cell. I gotta go. Looks like I’ll be late. Sorry. I’ll make it up to you and Amy tomorrow. I promise. Don’t wait up.”

Before I finished my sentence I knew that Christine was already hanging up the phone. The last few months had put a strain on an already fraught home life. Money was tight, Christine didn’t see much of me, and my nine-year-old daughter was beginning to wonder where the man in the wedding photo with her mom had gone. I would catch glimpses of Amy, early in the morning when she was eating her cereal or asleep in bed at night when I got home. I knew this had to stop sooner or later.

Light from the screen display filled the drawer and spilled out into the room. The caller ID was withheld, which meant NYPD.

“Halloran and Flynn, attorneys at law.”

“It’s Bob at the Twenty-First. Patrol just hauled in one of your guys. He wants to talk to you.”

I heard the receiver pass, and a different voice came on the line.

“Eddie, it’s Marko. The cops just pulled some bullshit stop on me at—”

“Marko, we’ve had this conversation before. We don’t talk on an open line. You know that. Don’t talk about the case until I get there. Answer the booking officer’s questions; they’re standard. Cooperate and be polite with him. Give them your name, address, date of birth, and next of kin. You’ll be asked questions about your mental and physical health, too. Answer them. Don’t say anything else—and don’t talk in holding. I’m on my way.”

Chapter Two

The sight that greeted me at the front desk of the 21st Precinct had become all too familiar over the past couple of months. It was becoming painfully predictable. I'd get a call from a client or a desk sergeant telling me about an arrest, I'd jump in the car and race over there, park, and by the time I swung open the precinct doors, it was too damn late. The desk sergeants told me that the client had changed their mind and gotten themselves a new lawyer; my services were no longer required.

Vinnie Federof had beaten me to it. The NYPD and Vinnie had declared war on Halloran and Flynn. It was the Irish way—*you mess with us, we'll bury you*.

This time I'd missed getting to the client before Vinnie by only a hair. Vinnie stood in one of his vile blue suits at the inquiry desk, signing the visitor's book. He turned and smiled at me.

"No hard feelings, Eddie," said Vinnie.

"None taken. I'll see you in court in the morning."

Without another word, Vinnie bent down, retrieved his briefcase, and disappeared through the security door.

There was nobody else in the office. I looked at the desk sergeant, and he looked away. Sergeant Bob Riley had been the one who'd called me an hour ago.

"I know what's going on here," I said. "Marko is my client. What's the deal with Federof? Who called him?"

A shake of the head, and then the desk sergeant checked behind him to make sure no one was listening and said, "I didn't call him, Eddie. Sorry. I've no clue."

"When you called me, did you put my name on the custody record?"

Riley blinked, thinking about it. Then nodded.

Somebody in the NYPD was keeping an eye on my clients and checking the custody records for my name. Soon as I appeared in the system, somebody in the NYPD leaned on my client, probably promised them to drop the charges for a citation or some other great deal if they went with a new lawyer—Vinnie Federof.

I let the heavy precinct door slam shut on my way out. The closest parking spot I'd been able to get was more than two blocks away. I pulled up my collar and started walking.

What the hell did I expect? When you sue the NYPD, you can expect some payback. When I thought about the pressure, the lost clients, the sleepless nights, I asked myself, was the Hernandez case worth it?

Yeah, it was.

If we secured a verdict for Chilli's widow, we could expect the damages to be in the millions; we'd sued for thirteen, but Chilli wasn't exactly a shining pillar of society. He'd been in a neighborhood gang, the 47s, since his eighth birthday—hanging out on watch on top of a Dumpster. If he saw the cops, he'd holler and the corner men would split and dump their dope. Old and wise by the age of fifteen, he'd become a dealer, then a hitter. He'd graduated to soldier a year later, when he put three guys from a rival firm in the dirt with a baseball bat and a broken bottle of Sam Adams.

No guns, though. That was Chilli's thing. His father got caught with a hot piece used in half a dozen murders and did life for it. The son would not make his father's mistake. Eventually Chilli got pinched on a manslaughter beef and did fifteen years. The word was Chilli took the hit on the manslaughter to protect a high-level member of the gang. On the inside, he did his job for the crew, running protection and hustling debts on the understanding that when he got out, he'd be clear and free of the 47s for life.

Sure enough, a month after Chilli's release, the 47s paid a visit to the Fortune Diner, where Chilli's probation officer had set him up as a grill chef. His old friends told him that as long as the tattoo was on his forearm, he was their man. It was unfortunate for Chilli that the owner of the diner fired him for willful neglect of company property the same day. After the delegation from the 47s laid out their ultimatum, they watched as Chilli put his arm on the steel hot plate.

He didn't flinch, didn't cry out. Just burned off the gang tat, scraped up his own skin with a spatula, and handed it to his old gang leader on a brioche roll. They left him alone after that. Any man who could withstand that kind of pain wasn't worth the trouble. Cost Chilli a job and fifty bucks out of his paycheck because the hot plate had to be fired down, cooled, and cleaned. A lot of the diner's customers ordered the cold egg salad that day.

So what drove a guy like Chilli to stab a man to death a month later?

The victim was Ed Genarro, a mid-level shipping union official. Stabbed to death by a Hispanic male outside the St. Regis Hotel. His wallet was missing. ATM records said Genarro had withdrawn two hundred dollars earlier that day. How much was left after a few cocktails in the Saint Regis? Probably a hundred, maybe more. People get killed for less in this city.

The NYPD said they got an anonymous tip-off that Chilli was walking around with a knife, talking up the murder. When Detective Marzone and his partner stumbled upon Chilli's car, they pulled him over; Chilli resisted and tried to stab Marzone in the face. Chilli Hernandez died of asphyxiation. Choked to death by Marzone in the struggle for the knife.

I didn't buy it. Any of it. Neither did Maria, Chilli's wife. She told me as much eight months ago when she came to see me. Told me how her husband had changed. At first I didn't believe her. Then the hot plate story checked out, and I became interested.

Of course, I had to sell the case to Jack. Maria had no money, and we would have to foot the bill for the case on a wing and a prayer. If we won, we were made. On the other hand, a loss would put the firm under. There was another possibility. Even if we proved Chilli was murdered by the NYPD, if the jury bought the city's case that the deceased was a cold-blooded killer, they might reduce the damages significantly. This case put me, my partner, my family, everything on the table.

When I got to my car, I swore.

A yellow ticket on my windshield brought my thoughts firmly back to my financial reality. Last thing I needed was another parking ticket.

Only, it wasn't a parking ticket. It was a yellow Post-it note with a telephone number. Beneath the cell number, it read:

"Call A.F. Group 54."

A.F. sounded like initials, but I didn't know anyone with a name to match them. The second part of the message struck a chord. By the time I'd gotten into my car and started it, I'd remembered.

Group 54 was the special investigation unit of IAB. The Internal Affairs Bureau for the New York City Police Department.

Chapter Three

The phone call had been short.

“Hey, I found a message on my car window. My name—”

“Corner of Old Fulton Street and Water. Buy a cone from the Brooklyn Ice Cream Factory. Be there within the hour.” A female voice, low and fast.

“Hang on. Who are you? What do you want?”

“The widow of Chilli Hernandez is a nice lady. Soon she’ll have an extra mouth to feed. What we got could buy a lot of ice cream,” she said, and hung up.

One Old Fulton Street used to be home to a great Italian restaurant. The sign over the corner door was an Italian chef holding a plate that bore the slogan PETE’S DOWNTOWN. It had been open since the early 1980s, and I’d been there with my parents a few times. In fact, the last dinner we’d eaten together was at Pete’s. My father had the vodka penne. I don’t remember what my mom ate, maybe the veal. I’d had a burger and a Brooklyn lager. Six months later, the illness that eventually took my father began to eat at his body.

The recession had cut deep. Old Fulton Street was prime real estate with a killer view of the Brooklyn Bridge and a steady flow of tourists coming off the East River Ferry. This area of Brooklyn, which included the ferry and the park, got the name DUMBO: down under the Manhattan Bridge overpass. It was a quiet part of town, which had seen more life only in recent years, once the ferry service began to bring tourists and commuters into the area. Even so, Pete’s had been closed for a couple of years. Landlords got squeezed by the banks, so they squeezed their tenants. I’d

heard that a high-class fast-food chain that sold ten-dollar hamburgers was opening up in place of Pete's. Things change.

I took off my jacket, bought myself a butter pecan cone from the ice cream stall, and took a seat on a bench in Brooklyn Bridge Park. The dying sun wet my shirt, and I loosened my tie. There was only one thing on my mind—money. What information did Internal Affairs have, and how much would it cost?

One thing I knew for certain: The cops were keeping tabs on me. Somebody was looking for my name in the computer, in the custody records. If Marzone or one of his pals was responsible for that, well, Internal Affairs was also watching—they knew I was in the precinct tonight, they knew what car I drove, and they were careful to make the approach out of sight.

I took another bite from my cone as I had a terrible thought. What if it wasn't Internal Affairs who wanted to meet me? What if Marzone was setting me up for something? As quick as the thought occurred to me, I dismissed it. If Marzone wanted to threaten me, he would do it straight up. No charade, no phone calls. He wasn't that kind of operator.

A cherry-red Chevy pulled up under the old restaurant sign. Most senior IAB officers got to choose their own car, instead of the dross of Crown Vics in the pool. Perks of being in the rat house. One more reason to believe this was a genuine approach from Internal Affairs. The female driver got out, carrying a folded newspaper. Shades, long brown hair, blue jeans, and denim shirt to match. Her clothes looked tight on an athletic frame. A bulge on her left hip said she was carrying her police-issue Glock. She bought a cone and sat down beside me on the bench. No perfume. Just a clean smell, as if she'd just stepped out of a bath.

It was getting dark. Coming up on eight o'clock. I was tired and wanted to go home. The last of the ferry passengers gathered to my right, ready to board the vessel. I was about to speak, but the woman cut me off. Her mouth hidden behind her newspaper, she said, "Keep your eyes on the ground. We're being watched. If you look at me, or speak to me, you'll likely take a bullet. If you want to know how it really went down for Chilli Hernandez, take the next ferry. It sails in seven minutes. Be quick, and you might just make it. Don't stop for anyone. Go, right now."

Chapter Four

I couldn't move.

Legs frozen. My mouth filled with the last of the ice cream cone. Wiping my hands on a napkin, I made sure to keep my eyes low. Suddenly I didn't have the will to stand. That small physical act seemed way beyond me, as if my legs were born two minutes ago. My throat clung to the ice cream cone, like it was constricting around it, getting ready to strangle me before I could get myself shot.

Hand on the armrest. Ready to move. Jell-O kneecaps and trembling fingers.

A wave of adrenaline took me to my feet, and I made for the ticket machine. The glass surrounding the vending machine was frosted, and I couldn't check my tail. As I fed four one-dollar bills into the slot, I accessed the camera on my cell phone, flipped the camera view so that it displayed a mirror image. I slowly angled it around.

The camera gave me a pretty good rear view. Tourists in shorts and tees. Cyclists. Families. Construction workers digging up the sidewalk on the other side of Furman Street. Lifting my ticket, I turned and made for Pier 1. An old barge had been converted into a restaurant and bar, with live music every night. I passed it and picked up my pace. The ticket agents were waving passengers onto the East River Ferry. The engines were growing louder, revving up to begin their journey. One last check over my shoulder before I broke into a full sprint. I saw one man maybe fifty feet behind me, also jogging for the ferry. He wore navy pants, a gray shirt, and a light sports coat. As his pace increased, the wind blowing off the river blew open his jacket, revealing a shoulder holster for a handgun that sat snugly beneath his left arm.

I took off as fast as I could, waving to the deckhands to hold on. A single drumbeat of feet behind me, pounding the boardwalk. Their rhythm was quicker than mine and getting louder every second. He was gaining on me. My tie flipped around my neck as I hit full speed, my heels scattering over the boards just before I came to a halt in front of the deckhand.

He waved me on, then closed the gate behind him. The interior cabin boasted huge windows for the perfect passenger view of the skyline. I leaned over a seat, panting like a dog, drenched in sweat, and watched the ticket agent hold up a hand against the man in the sports coat. He was slightly younger than me, maybe late twenties. He ignored the ticket agent, choosing to scan the cabin instead. Our eyes met. Instantly, he looked away, finding the water first, then the sky. Engines roared to life, and the ferry took off at cruising speed.

If I had to guess, I'd say the man was a cop.

The rest of the passengers were watching me. I turned and sat in my seat. Now I was properly covered in sweat. I felt a tap on my shoulder. Turning, I saw a deckhand wearing a blue East River Ferry T-shirt. He gestured for me to approach him. Wiping sweat into my hair, I got up from the seat and nodded. He beckoned me out of the cabin. Beside the cabin doors was a set of steps leading to the open-top deck. A red and white painted chain blocked off the steps. The deckhand unhooked it and then relocked the chain as I made my way up the steps. The ferry lurched as it hit full speed, and if I hadn't been hanging on to the railing, I would've fallen. I could smell the river, that mixed odor of freshness, salt, and sweet decay.

The top deck was small, with only a handful of benches. A man in a gray raincoat stood at the end of the deck, the wind licking his hair. No one else up top. He turned as I approached. A slender man in his fifties with sharp cheekbones and wild blue eyes. His hair had been blond, but up close I could see it was now a fawny-gray color. Black suit under the raincoat. The motion of the ferry made my stomach feel uneasy. He took the nearest seat, and I sat down beside him.

When he spoke, I noticed his accent had a Southern edge to it. Not Deep South, but not far off it.

"My name is Albert Frost. Good to meet you, Counselor," he said, holding out a hand.

I took it. The skin was hard but loose with age. This guy had worked for a living a long time ago. A pale strip on the middle finger of his left hand said

he'd been married until very recently. The divot of white skin from the gold band that the wearer had rarely removed had not yet settled into its former smooth line. Maybe at his age it never would.

"Sorry we had to meet here. I was expecting to sit down with you and enjoy a cone. But you came with a tail. We had to shake him before we spoke. In many ways, it's a good thing somebody followed you here."

"Why is that?"

"It means you and I are both pissing up the right tree."

"I'm not sure I understand."

He smiled, looked out over the water. The last of the day's sun was licking the glass towers on Wall Street.

"Sure you understand, smart fellah like you. And I'm here to fill in some blanks. See, I want to be friends. I want to help you out, and in return you'll be real neighborly and do us a favor."

"What kind of favor do you want?"

"Oh, we'll get to that. Right now you're the one who needs help."

"I'm just fine, thanks. I don't need any help."

"Come on, don't play me. If you didn't need help, you wouldn't have come running like you did. You want to know what really happened to Chilli. There's a lot you don't know."

"Like what?"

"Like if you haven't guessed it already, you're in a whole shitload of trouble, son."

Chapter Five

I'd been in tight spots before. The kind that can get you killed. I thought all of that was behind me. When I gave up the life of a hustler, the short cons, the insurance fraud, even taking the odd shortcut in a poker game, I'd imagined that things would be a lot calmer and safer. I'd hardly ever used married guys in my crew. A loved one is powerful leverage when you're sitting in a cell and the cops are pressuring you to snitch. Back then I didn't allow myself to get attached to anyone. Besides, it wasn't an entirely selfless act. Some of my favorite marks were drug dealers. If they figured out they'd been conned, I didn't want anyone I cared about to get caught up in a reprisal. Dealers carried a lot of cash—and couldn't use it until it was clean. Conning them was pretty easy. It was making sure they didn't know they'd been conned that was the hard part. Eventually I came up with a con that covered me. It was all about a frog and a horse.

Every couple of years I got a friendly, local, off-track bookie to give me fifty cents on the dollar on all bets placed on a particular horse running in the Kentucky Derby.

It took a couple of months to set up, but the payoff was phenomenal. I bought weed once a week, regular, from a couple of gangbangers, and eventually we got to know each other and we got to hanging out a little bit. I didn't smoke. I flushed the product. Over time I spent maybe a grand on middle-grade weed just to get to know these guys. Three days before the Triple Crown event, I'd pull up at their corner and buy double my usual. They'd ask me where I got the dough. I told them I got cash for making a special delivery, and on the passenger seat beside me, I had a cardboard box full of holes. The guys are curious and ask to see what's inside. So I show them. Inside the box is a frog.

I tell them it's a Water Tree Frog from South America. It came off a ship this morning, and I need to drive it to Louisville for the Derby. They have no idea what I'm talking about, so I take them for lunch and lay it all out. If the frog is stimulated, it excretes a slime. That slime is a dermorphin—a drug that when injected makes horses both impervious to pain and hyperactive. The Racing Commission do random drug testing on horses. But they can only test for known illegal substances. The more exotic the stimulant, the greater the chance they won't test for it. I tell the dealers how cobra venom was used for years for the same purpose but that nothing compares to this slime—in short, this frog produces untraceable guaranteed Derby winners.

After a while I pay for lunch and leave.

A few hours later I call the guys from a pay phone in the 86th Precinct. Spin them a line that PD pulled me over and got a hit on an outstanding warrant. And the cops got my dope. I'm going to be sitting in a police cell for a day. The frog is at my apartment and I can't make the drive to Louisville in time for the race. Can they drive the frog to Louisville for a grand a piece? There's five thousand bucks on the dresser in my apartment beside the frog, and I want them to go to Lucky's and throw it all on our doped horse. I tell them that the bet has to be made in Lucky's because they have the best price for the horse—seventy-five to one. The guys get to talking, telling their bosses and all their friends.

Before five o'clock that day, Lucky has taken bets totaling three hundred grand on the worst horse in Kentucky.

After a ten-hour drive, the guys get picked up on the outskirts of Louisville by the Highway Patrol. The cops don't find any drugs or weapons, and this pisses them off. So the cops take the frog and let it go in the marshes. I'd never seen it myself, but I hear from the cops who do this for me that the sight of two drug dealers from the Bronx frantically searching for a frog in the bayou is one of the funniest things you'll ever see.

The frog doesn't make it to the race, the horse comes last, and they lose money, I lose money, and it's all down to the dealers themselves. One time, a guy from the Diablos felt so bad about losing my frog that he came by my apartment and refunded my five grand. It took it, and a hundred and fifty grand from Lucky's, who was only too happy to take huge bets on a horse that was so bad, nobody in their right mind would bet on it.

Hardest part of the whole thing was catching the frogs from Long Island in the first place.

That was all behind me now. The rush from the con was gone. I had a family. Putting a target on my back was not on my list of priorities.

Albert Frost could've been from Kentucky himself—the accent was south of Ohio but definitely north of Georgia.

“You’re playing with the big boys now, Eddie. Lot of people don’t want you to win this case. From what I’ve been told, there isn’t too much danger of that happening.”

“Watch me,” I said.

“Let me see if I got this right. Marzone strangled Chilli Hernandez last year. The department is saying Marzone was fighting for his life, but even so, NYPD banned choke holds in the 1980s and he was acting in breach of policy. That might be enough to get the city off the hook. They’ve done everything they can to ban choke holds. This officer was acting alone, and if anyone has to pay compensation, it’s him, not the NYPD. The department’s lawyers can argue Hernandez was a dangerous killer and Marzone acted in self-defense. If that argument fails, they say they’re not liable because Marzone was trained not to use a choke hold. If they get home on that, even if you win against Marzone, it leaves you with a multimillion-dollar judgment against a guy with no assets and no money. That a pretty fair assessment so far?”

I nodded.

“What if I told you the NYPD brass regularly turn a blind eye to cops who place suspects in choke holds? What if I gave you enough evidence to prove that in court?”

“What kind of evidence?”

“The Civilian Complaint Review Board has compiled a study on choke hold complaints. It’s not due to be published for another year—but I’ve got the figures. They make for interesting reading. Anyhow, we’re just getting to know each other, Counselor. Believe me, I’ve got more. But that kind of evidence doesn’t come cheap.”

I knew it. Frost wasn’t doing this out of some notion of civic duty. He wanted to make a buck. That made me nervous. Bought testimony is never as good as that which is freely given.

“How much?” I said.

His pale eyebrows furrowed, and he shook his head. “Oh, I don’t want money. Don’t you know it’s illegal to bribe a police officer?”

“So what the hell do you want?”

“Justice. You are in a unique position, Mr. Flynn. There are forces at work behind this case that you haven’t even contemplated. That’s what I want: I want the men behind Marzone. I want the Morgue Squad.”

Chapter Six

Albert Frost had it all wrong. For a second I thought he'd taken leave of his senses. Maybe he'd been on the job for too long. When you are the cop responsible for arresting your fellow officers, it can have a devastating effect on your perception of reality. Most cops don't want to go near Internal Affairs. You're seen as one of the rats. Since the Mollen Commission, the NYPD had taken steps to reimagine Internal Affairs, to take the stink out of that department and make it work fairer and more efficiently than ever before.

As a young cop in NYPD, if you want to make detective, you submit your application and choose your preferred assignment. The candidates with the best results normally get absorbed into Internal Affairs. Policy dictates that IAB gets first pick of the best candidates. For those who choose to accept the offer from IAB, you must do a minimum of two years on the job. After that you can pretty much name any assignment you want and blow in as a full detective. Organized crime, homicide, robbery—take your pick.

Those two years can be as rough or as easy as you make them. IAB suits a lot of young mothers and fathers because they can choose their own shifts. Nine to five is perfectly acceptable in Internal Affairs. The downside of that is there's no overtime, so you get home for dinner but with less money in your pocket at the end of the month. Any old friends you've still got from the academy stop calling; your current friends from your last precinct don't want to know you either. Most cops see it as turning to the dark side. And the nice pool cars, the guaranteed job after two years, the regular hours, the extra equipment training, and the tick on the résumé just aren't quite enough compensation for most cops.

The police that I knew, the career cops with twenty years on the street, they'd say that only one thing matters to them—their good name.

Frost looked like he'd put in serious time in Internal Affairs, and that takes a special kind of dedication and sense of duty. It was written in the keen blue eyes. But as far as I knew, the morgue boys were untouchable.

"I thought IAB had their shot at the boys."

"No, not the morgue boys. I think it might have been a newspaper that gave them the name morgue boys. You know about them? Cops robbing drug dealers. A few eventually pleaded guilty. They were called the morgue boys because they usually met at an old abandoned coffin factory to split the proceeds. No, I'm talking about a crew that's very different. This squad runs the morgue."

"I don't follow," I said.

He raised an eyebrow, leaned back, and appraised me again. Maybe he was thinking he'd overestimated me. After a long moment he readjusted himself on the seat and pulled his coat around his neck.

"I can't tell you too much. Fact is, we have no evidence for any of it. But we know Marzone is in the Morgue Squad. He runs it."

"Runs what?"

"The squad is a select group of cops. What they do is highly illegal—and it's a lot worse than robbing drug dealers."

"So what do they do?" I said.

The wind buffeted my shirt and the spray coming off the river kept it moist. Seagulls followed the ferry. Their calls were loud enough to momentarily drown out the low thunder of the engines. I was aware of all of this as Frost stared at me in silence. He was making a decision.

"I'm going to keep my mouth shut for a little while longer, Counselor. If you do as I ask, I'll tell you everything. I can show you what really happened to Chilli Hernandez. That's a promise. The officer who left you the note on your windshield is Detective McAllister. You've got her cell number already. She sat beside you on the bench just now. McAllister will give you everything you need."

"I still don't know what you want me to do in exchange for this."

"I don't want you to do anything apart from your job. The Review Board data is reliable, damning, and true. All you have to do is use it. I don't want the case to settle; no payoffs under the table with confidentiality agreements. This has to come out. That's the favor. If we give you this

evidence, it's on the understanding that you use it in open court. Sound fair?"

"How does this information relate to this Morgue Squad?"

"That's really none of your concern," said Frost. His lips were dry, and his gaze wavered for the first time. The pitch of his voice had altered, too. And his hands had slipped, unconsciously, into his pockets.

A lie.

I took a long look at a line of sailboats slipping past the buoys that covered Diamond Reef and beyond them, in the distance, I could make out the lights springing to life on Governors Island.

"The man who followed me to the ferry . . ." I began. And before I could finish, Frost had turned away.

It was the worst possible deal. There are no free lunches, no files of precious documents, and no million-dollar judgments that come without a price.

We were only seconds from the ferry terminal at Pier 11. The ferry was cooling its speed, engines low, getting ready to come into port. I heard car horns blaring from the quickly approaching shore. Frost walked away and gripped the rail, so he could watch the ferry dock. He had his back to me. I couldn't blame him.

"Frost, you can keep your precious information."

That turned him quick enough. "What? Don't you want to win? A judgment like that could put you on the six o'clock news."

"I won't pay the price."

His eyes narrowed.

"I already told you I didn't want money."

"You want something that costs a lot more. You knew this Morgue Squad was following me. They're bound up with Marzone and Chilli Hernandez. They want to keep a close eye on the Hernandez case to make sure they're not exposed. You called me here so they could see our meeting. You wanted them to know I was talking to you. My guess is this conversation will make them nervous, and you think that will make them come after me. You and McAllister will wait until they make a move, and then you'll make your arrest. If they don't kill me first. You've got nothing on the Morgue Squad. So you're trying to force them out of hiding. You just made me the bait in your little game. I'm nobody's bait."

The car horns grew louder. We both stole a glance at the tour buses and yellow cabs parked beneath the FDR Drive overpass, waiting to pick up our fellow passengers on South Street. Already a crowd had gathered on Pier 11, ready to take the last ferry back to Brooklyn. I heard the cars speeding past on the FDR.

When Frost gave me his attention again, he was a little pissed off that I'd called him out, but he knew he'd already accomplished everything he'd set out to do.

"Too late now, Eddie. They saw you get on the ferry. In fact, they saw you run for the ferry and they saw you come up here and sit with me. The Morgue Squad know I'm talking to you, so, yeah, you're right, that makes you a target. Shit happens, Counselor. You sue the toughest homicide cops in the city, you'll become a target. We won't let you get hurt. If one of them tries to take you out, we'll be waiting and we can grab him. Then *he* becomes our bait. You need a little fish to catch a big fish. Didn't your daddy ever tell you that?"

Two car horns blasted, the pitch changing as they went roaring by on the overpass. The ferry nosed into the terminal, slowed, and stopped. A flock of seagulls on the pier took to the air just as Frost's face exploded.

Chapter Seven

It could've been shock, or simply instinct, but I managed to hit the floor before Frost's body. A wet slap on the deck, like somebody throwing a cup of coffee on the floor—only this sound was duller, the sound of the back of Frost's head painting the deck. I could feel flecks of blood on my shirt and my cheek. No one else was on the deck. The Internal Affairs man no longer had a face. His feet twitched and spasmed. My voice died in my throat. No breath, no control.

Footsteps on the stairs.

My knees scraped against the hardened plastic flooring as I scrambled beneath a seat. Urgent feet on the floor, running toward Frost's corpse. The pounding stopped. I bent my chin to the ground, trying to melt away into the boat while my body trembled. A face appeared in front of mine. The East River Ferry employee in the blue company shirt had fallen to the deck. He was lying on his side, a confused look on his face. He had an NYPD badge in one hand and a Glock in the other. I heard the report of a rifle and screams of surprise in the distance. A black-red stain enveloped the logo of the ferry company, and the cop died lying on the floor in front of me. The life simply poured out of his eyes.

A sniper.

Think.

The car horns. They weren't from South Street. Traffic had been easy there, and plenty of vehicles were parked, awaiting a payload of ferry passengers. The FDR. A car must have stopped on the outside lane, and vehicles were sounding their horns as they went past. The elevated position that the overpass provided would be perfect for a rifleman firing from a car window.

I heard the caterwaul of tires and a big V12 engine. Glancing over the rail I saw a blue SUV taking a smoking start on the FDR Drive. This was the shooter. If someone on the Brooklyn side of the river saw me on the top deck, it would've been simple enough to prime a sniper to tag me as I cruised into Pier 11 on the ferry. The Morgue Squad. Whoever they were, they worked fast, they worked as a team, and they played for keeps.

Whatever Frost knew, somebody didn't want him talking to me. I could've easily been the one to take a round. But whoever was pulling the trigger thought Frost was more of a threat.

I stood and saw the gates open on Pier 11. Passengers on the lower deck began disembarking. It was eight thirty and the ferry would make one more trip. I thought about making that return trip. My jacket was in my car in Brooklyn. And my car would be a likely spot for someone to wait for me to return so they could plant a bullet in my back as I slid the key into the door.

At first I couldn't find my cell phone; then I saw it on the floor. It must've fallen out of my pants pocket. I wiped the blood from my face with my tie, then redialed the number for McAllister. Somehow I found my voice, which cracked and broke as I pushed out the words in between guttering breaths.

"It's Eddie Flynn. Frost is dead. So is the cop in the ferry uniform. Rifle shot from a car window on FDR Drive. I couldn't get a license plate, but it was a blue SUV. Maybe a Toyot—"

"Hold on. Calm down. What did you just say?"

"Your boss is dead."

"Is Jones alive?"

"If he's the guy pretending to work on the ferry, then no, Jones is . . ."

My attention was elsewhere. Two men holding handguns were running toward the ferry, NYPD badges hanging around their necks, bouncing off their chests as they ran. Plainclothes cops in suits. Detectives.

"Have you called this in?" I asked.

"I'm about to."

"If you haven't reported it, then why are there two cops running toward the ferry?"

"Are they in uniform?"

"No."

"It's them. Get out of there, now."

My feet were already skidding down the steps. I vaulted the chain that roped off the top deck, checked that no one was around. The passengers

waiting to board the ferry were still in the terminal. The two cops were also on the other side of the terminal. Probably getting the deckhands to let them through. They'd be here any moment. Nowhere to go. No choice. The ferry was turning, ready to land. I had maybe five seconds before everyone on the pier saw me standing on the deck. I took one stride, then flipped my legs over the rail and slipped into the East River.

Chapter Eight

The cold was a living, breathing beast that sucked at my very bones. It willed me to inhale, purely from the shock of all-enveloping pain. Cold so bad that it burned my skin like bleach. Lips bursting from the air in my lungs. I spun around in the water but could see nothing. Yet I was moving. The current was fast and dragging me deep. I was aware of a thicker darkness just beyond my line of vision. Even my eyes stung, but not from the freezing temperature of the water—more likely from the poisons floating within.

The pier stanchion of the East River Bikeway came up fast, and I had to brace my arms over my head as I hit one of them. Panic now. I sank further, my arms and legs straining to keep me from falling to the bottom. I managed to grab a stanchion and pulled. Hand over hand, I climbed my way to the surface so fast I hit my head on a bar as I came up.

Blessed, gasping, desperate air. Eyes wide, fresh blood from the wound on my scalp flowed into my mouth. I didn't care. To my left I saw the bikeway dip down to the water. I used the wooden beams to pull myself toward it, and I gave a sigh of relief when my hand hit a wire mesh. It took everything I had to haul myself over that short fence. For a good minute or two I lay on my back at the bottom of a set of tiled steps that led to the fence and the water's edge. If I'd jumped into the river anywhere else, I might not have had a chance to climb out of it.

Blind luck.

I tasted salt in my mouth from the river and the blood. From where I lay, I couldn't see the ferry, and no one on the bike trail would be able to see me, sunk below the boardwalk on the bottom steps of what was once a slipway for canoes.

Only when my teeth began to pummel each other did I realize that I was trembling fiercely. The shakes had set in, and the pain from the dirty ice bath returned with a vengeance. I moaned and stood. Stamped my feet. Took off my shirt, which felt as cold as a priest's hands. I'd already lost my tie somewhere. Rubbing my arms vigorously, willing the blood into each limb, I tried to shut my mouth before I broke a tooth. My jaw wouldn't stay closed, no matter how hard I clenched. Blood in my mouth; I'd managed to bite my tongue, but not too bad.

Twisting the water out of my shirt, I then slapped it on the stone steps. Puddles of water appeared everywhere as the river drained out of my suit pants. Patting my pockets, I discovered I'd lost my office keys and cell phone. My car keys had made it, along with my dripping-wet wallet. In my left pocket I found the Post-it note with McAllister's cell number. The last digit of the number had washed away, with only the faint traces of what could've been a three, a five, a six, or an eight. Thankfully, the dip in the river had masked the bloodstains on my shirt. It was just one sodden mess. I felt my scalp and found the bleeding had slowed.

I had to move. My shirt clung to my skin, and I left it hanging out over my pants.

Slowly I made my way up the steps. Nobody on the bike trail beneath the overpass, and a small crowd of teenagers to my right, maybe seven hundred feet away. They had nestled beneath the overpass and were examining their cell phones. To my left, the last of the passengers were filing onto the ferry, headed back to DUMBO. None of the passengers would head to the top deck. The bodies could lie up there, undiscovered, for some time. Straight ahead, on South Drive, a line of people were climbing aboard a bus. I made for the line, glancing toward the ferry with every other step.

Two men bolted off the ferry. Their guns drawn, heads circling; they were looking for me. The passengers were being shuttled off the ferry. The two men had known to check the top deck, and had found the bodies. I ducked behind a supporting wall for the FDR Drive, taking shelter in the shadows as I watched the bus line. The last two people were about to board.

Hold.

A grandma in a floral dress fumbled for change as she charmed the driver. The young guy in the ball cap behind her shook his head, his MetroCard in his hand.

Another quick glance. The two cops jogged my way. They were closing in, only two, maybe three hundred feet away.

At last the grandma paid the bus driver and began fussing with her purse. I watched the young guy in the ball cap shake his head from side to side. The steel beams roofing the overpass above me screeched and whipped in metallic song, strummed by the long-distance haulage trucks that shook the road. It was the same sound as the high-pitched vibration that preceded a subway train. That monotonous sound was soon accompanied by the slap-echo of two pairs of fast, hard-soled shoes. They were close. I had my back to the concrete support wall. The crowd of kids standing at the opposite support wall, maybe eighty feet away, put their phones away and looked casual. They'd spotted the cops coming their way.

My shoe touched an empty soda can. I fished a wet MetroCard out of my wallet, threw the can to my right and ran left. The can bounced down the steps I'd ascended only seconds before. I got to the bus at the same moment the driver hit the switch to close the doors.

Chapter Nine

I got an arm through the doors, which arrested their movement.

“Hey, buddy, watch out,” said the driver.

I climbed in, swiped my card. The driver looked at me, shook his head, and muttered under his breath, “New York City.”

I lost myself in the crowd standing on the bus. I got plenty of looks. Even in Manhattan, where people have seen everything and heard everything, a soaking-wet guy in a crumpled shirt and squelching shoes was enough to catch me some attention.

The doors closed and we moved into traffic. Glancing over the shoulder of the guy in the baseball cap, I caught a glimpse of the two cops coming back up the steps that led down to the river. They were looking left and right, arms by their sides, chests heaving. They were too far away for me to get much of a look at their faces. One cop was black, the other white and older.

Watching those two gulping for air, I suddenly became aware that I, too, was out of breath. The short run to the bus, or the pain from the cold, it didn't matter. I looked and smelled exactly like a guy who'd hauled his ass out of the East River only moments before.

I took a bill out of my wallet, folded it, and ran my fingers along the note, pulling out the moisture with the pressure from my grip. The guy in the cap who'd gotten on board just before me was tapping away on his cell phone. I offered him the five dollars if he'd let me make a couple of calls.

He turned his back on me.

“You forget your swimming costume, son?” said the old lady on the seat in front of me, the grandma who'd taken her time with her change.

“Something like that. A gust of wind blew rain water off a store canopy. Just my luck to be standing beneath it. Say, could I borrow your cell phone? Mine got wet. I need to call my wife and tell her I’ll be late home.”

She looked at me sideways. It hadn’t rained all day.

“I can give you ten dollars for the call,” I said, handing her my last wet bill.

“Okay, just don’t run off with it,” she said.

I dialed home. Answering machine. I tried Christine’s cell phone, and she picked up. I could hear eighties rock in the background, and I knew she was with her sister, Carmel, at her place.

“Hi, it’s Eddie. I lost my phone, again. I called the house.”

“Looking for me?” she said. “I got bored waiting in an empty house, so I put Amy in the car and came to Carmel’s. Amy is asleep upstairs and we’ve got wine, Van Halen, and *Ghost* on DVD for later. You don’t mind, do you?”

“No. I don’t mind.”

“You’re not even home yet, are you?”

“No. I’m glad you’re at Carmel’s. You didn’t notice anyone hanging around outside the house tonight? No strange cars in our street?”

I heard her tell Carmel to turn down the music.

“What’s going on?” she said, an urgency to her tone now.

“Nothing. The Hernandez case is getting hot. That’s all. We’re not popular with the NYPD at the moment, so it might get a little hairy for a while. It’s best if you and Amy stay with Carmel for a couple of days. Let Amy stay home from school. In fact . . . it would be better if you all stayed inside until this blows over.”

“Have you been threatened?”

“No . . .”

“Bullshit, Eddie. This is the Rockmount case all over again. I told you to be careful. We don’t need this kind of pressure. No case is worth that kind of hassle, not again.”

She went quiet, but I could hear the tears and the panic welling in her throat.

“You promised me,” she said.

She was right. I did make a promise.

Before Amy was born, while we were still living in a damp basement apartment in Brooklyn, I took on a case against Rockmount

Pharmaceuticals that became real messy. Stones through the windows, car tires slashed, dog shit left in our mailbox. And worse.

I was used to it. I'd had guys trying to take my head off since I was thirteen years old. Mostly they didn't fare too well and never tried again. But Christine was terrified, and that killed me. When the case finished, I'd promised never to put us in that situation again.

"They're cops. I didn't expect this," I said.

"Well, it's happening again. I can't do this, Eddie. The long nights; you're never home. I miss you. I love you, but I'm lonely. When you do make it home on time, you bring a bottle . . ."

"Chrissie, it's a rough time at the moment. This case is make or break. You know that. We discussed this. If I drop the case, we're finished."

"You don't have to worry about that. My parents can help us out, or I could try to find something part-time."

"I want to take care of you. There's nothing part-time in corporate law out there, and whatever you do, don't ask your parents. Leave them out of it. You know how that will end. Look, the trial starts tomorrow. If it goes well, we can have a better life. No more long hours. Family time. For now, stay at Carmel's house. Don't go out. Order pizza. Amy loves pepperoni. When she's—"

"I know what she likes. Okay, we'll stay until the trial's over. Be careful. Will I see you tomorrow?"

"I don't know. I don't think so. I'll call you. I was about to say you should call the security company, the one that offered personal security. Tell them we want a car outside your sister's house tonight. It should all be over in a day or two. They gave us good advice about the Rockmount thing."

"Can we afford it?" she said.

"We can't afford not to. Chrissie . . ."

The line died before I could tell her I loved her.

I told the elderly lady I had one more call. She said her stop was coming up and it had to be quick.

Jack picked up.

"Halloran and Flynn."

"It's me. I need you to come pick me up."

"I'm just finishing up a game here," said Jack.

"Where are you?"

"I quit Hanzo's early and drove over to Manny's place."

“I can’t talk right now. But this is serious. I need you, Jack.”

“Sure. What’s wrong?”

“Pick me up outside New York–Presbyterian in twenty minutes.”

Chapter Ten

I'd left the bus with the elderly lady, thanked her again, and meandered my way through alleys and side streets until I came upon New York–Presbyterian Hospital. All the while I thought about how cold I was, how I couldn't tell Christine what had happened. She would freak. She would call the cops. Right then, NYPD were the last people I wanted anywhere near my family. I decided to keep it to myself for now. On occasion, Christine still woke up in the middle of the night, and I had to go check all the doors and windows. The Rockmount case had taken a toll on her. Those nights had become fewer as the years had passed and Amy grew. But the memory of that fear was still strong in her.

What the hell had I gotten into?

The Morgue Squad. What a name. Whatever they were doing, whatever I was close to, it was serious enough to take out a top-ranking IAB officer. If only Frost had told me what he knew. I'd decided I was already too far into this to back away. It would be easy to drop the case, hold up my hands and leave the police alone. But that would mean abandoning Maria Hernandez. It would mean abandoning Chilli's unborn child. I couldn't do either. I'd made a promise. And if Frost was right and McAllister had the evidence I needed, I could win the damn case. I needed something to swing the jury my way because we had a big problem. The only living souls who were eye witnesses to the incident were Marzone and his partner, Roark. We had nothing to counter their testimony.

A small row of homeless men lined the corner of the hospital that led onto Gold Street. I put my back to the wall beside one of them and slid down onto my knees. In my state, I needed to blend in while I waited for a ride. The homeless man to my right looked old, although living on the street puts

years on young faces. I thought he was fifty. He said I looked cold, and he offered me a blanket. I took it and thanked him. He said his name was Rob, and he was thirty-three. He apologized for not having any food. I apologized for not having any money I could give him.

We shivered in silence. I watched the traffic, looking for Jack's Caddy. Cars moved pretty easy on Gold Street. I remembered my dad talking about this street. There was an old story that the street got its name because of a wildflower that used to grow around the area, but my dad had a different theory. Gold Street was only a block away from 33 Liberty Street and the Federal Reserve. Plenty of gold in that building. He also told me the Federal Reserve could never be robbed, but in the early eighties a crew from Nantucket had succeeded in the next best thing. On the corner of Maiden and Gold, the Federal Reserve suboffice printed bearer bonds, millions of dollars of bonds every single day. A team of plumbers plugged the drains for the whole block and came calling. They said they were clearing every building on the block for the landlord so they needed access to the bathrooms, to check for the source of the problem. One of them managed to knock out a guard with a wrench, and they made off with a lot of paper. Nobody came after them and they were never caught. The story never made the news because the Treasury Department covered it up. The Federal Reserve needed to maintain a public image, the image of an impregnable fortress. If they let it slip to the NYPD or the FBI that they'd gotten turned over by a couple of plumbers with a socket wrench and a smile, they could pretty much guarantee to shave ten percent off the price of the US dollar.

Ten minutes passed with the smell of traffic fumes in my nose. A light blue Cadillac crawled to a halt in front of me. It was an old model, from the late 1970s, and although it was a beautiful piece of machinery, it was probably the most impractical car possible for Manhattan. Jack didn't need a parking space; he needed a landing strip. My knees burned as I got to my feet. I'd been sitting in wet clothes, hunched up on the sidewalk, for far too long. Jack lowered the driver's tinted window.

"Thanks, Jack. I need some money—what have you got?"

"What for?" he said.

"Never mind. What have you got on you?"

A billfold appeared in his hand—not as thick as it usually was after a night of cards. He pulled off a hundred-dollar bill and said, "This enough? Hey, how come you're soaking wet?"

“Thanks. I’ll explain in a second,” I said. I returned Rob’s blanket, thanked him again, gave him the hundred-dollar bill, and told him to make sure he got a hot meal. He thanked me, but I was already walking around the Caddy toward the front passenger door.

I got inside, turned up the heater to full, and said, “Thanks. We got a lot to talk about.”

Jack said nothing. He signaled and pulled out. I’d decided to give it to him from the beginning.

“I found a note on my windshield tonight . . .”

My voice died in my throat. Jack won the pink slip for the Caddy in a poker game ten years ago. He shaved every other day, didn’t dry-clean his suits as often as he should have, his apartment was a mess, but he washed and polished the Caddy every single day. Two years ago he picked me up from my house so we could go to the movies together to watch *The Lincoln Lawyer*. Jack had insisted that I take off my biker jacket before I got in the car—in case the metal zipper damaged his plush bucket seats. Here I was, soaking wet, smelling like salt and shit in Jack’s precious car, and he hadn’t said a word.

The Caddy’s tinted windows probably weren’t street legal. Now that the sun had set, very little light penetrated the thick darkness of the interior. The only light came from the dash. As we drove along, a streetlamp briefly shined a spark on a fat sweat ball that rolled down Jack’s skinny cheek.

I stared straight ahead, watched the brake lights of the car in front, and let it happen. Something else was taking over control of what I thought, what I said, what I felt—instinct. It felt like a ghost stroking the back of my neck. That ethereal touch electrified every sense, every neuron, every nerve I possessed. They all fired at once, sending the same message to my brain.

Someone is sitting behind me.

Chapter Eleven

My head was in a vise that only let me look ahead. Even the thought of turning around sent a pain shooting through my neck and into my brain. Tension headaches. I'd suffered from them before.

Jack drove and didn't speak.

I stared out the windshield and didn't move.

Seconds ticked by with only the whirr of the cooling fans, the smooth roll of the white wall tires on asphalt, and the *clug* and *chug* from the old engine. And then a new sound. The soft friction of leather, just a whisper, and then I felt that cold leather around my throat and the back of my head thumped into the headrest.

In one swift movement a heavy arm had swung around my neck.

The forearm clamped my airway shut.

"Leave him alone," said Jack.

I pulled down on the arm with both hands, but I only got as far as easing the pressure, opening my windpipe a fraction. I sucked in as much air as possible, filling my nose with the smell of the Magic Tree that dangled from the rearview mirror. I maintained the pressure on the arm, but I was losing. The guy behind me had all the leverage. He just needed to hang on and let his weight do the rest.

"How does it feel?" said the man in the backseat. I could hear traces of Boston Irish, wet with bourbon and cigarettes. He pulled again. Someone putting pressure on your windpipe does something to your brain. It's like pushing a panic button. I wanted to pull the arm away and push back against the seat with my torso, but that only increased the pressure. My legs began to scramble for purchase, pushing against the floor, my throat burning, head ready to explode, eyes bursting.

He eased the pressure, and the rush of air into my throat started a coughing fit.

We were approaching an intersection.

“Turn right. Drop me off on the corner of Nassau,” said the man.

“No problem. Just relax and leave my partner alone,” said Jack.

The man tightened his grip, but not enough to choke me. I guessed he wanted me to have enough air to be able to speak.

“What did Frost tell you?” he said.

I had two choices. Bullshit or tell the truth. He was probably one of Marzone’s. A cop. He could spot a lie, just like I could.

“He told me he had statistics. The real data on choke hold complaints.”

“That all?” he said.

“That’s all.”

He reached over me with his other hand and placed his index finger on my chest. He drew a cross over my heart.

“He didn’t give you any paper. We know that. We know you took a swim and called Jacky boy here. Now I’m telling you to take the offer from Vinnie. He’s giving you a couple thou. Walk away now. If you fight this case, I’ll kill the both o’ ya.”

I’d already decided that if the asshole tried to choke me again, I would break his thumb. The Caddy was maybe thirty feet from the stoplight at the intersection. No cars ahead of us. The light was red. I glanced at the speedometer and saw we were doing maybe fifteen miles an hour.

Breaking his thumb would make me feel a whole lot happier, but I had a better idea.

“Is that how you killed Chilli Hernandez?” I said. “You drew a cross on his chest and then choked the life out of him?”

“I didn’t kill him. But I watched him die. Like this,” he said, and this time he almost broke my neck as he slammed his forearm across my throat. But I was ready. No panic this time, no mad scrabbling and pulling. I simply leaned back and let him take my throat. I had to lean back to create the angle. My left foot shot up and came down hard on Jack’s left foot, causing him to floor the Caddy.

“Hey, what the . . .” said Jack as he tried desperately to gain control of the car, pushing my leg upward with his knees.

We tore through the red light. A shot to the side of my head burned my sight into soft focus. I lifted my foot, and Jack spun the car through the right

turn, narrowly missing a truck parked on the corner.

“You listen to me, and you listen good. Take the offer in the morning. If you go into court, we’ll kill you and your client. Pull over.”

Jack stopped the car.

“Good night,” said the man, releasing me.

Another coughing fit. My head pounded and my throat was sandpaper. But I made sure to watch this guy as he got out of the car. He walked past the front of the Caddy. A big guy in a black leather jacket and close-cut curly hair. He’d been in court for some of the preliminary hearings. His name was Roark. His partner was Slab Marzone. He got into a dark car that had just pulled up beside us and was gone.

I couldn’t hear what Jack was saying. My head roared and I leaned down, closed my eyes, and held on to the seat. My body was still in panic mode, and I had to get control, slow my breathing. The dizziness made me want to vomit. Christ, what would it have been like for Chilli? Right then I thought that being choked to death would be the worst way to go. I’d seen Chilli’s autopsy photos. His eyes were bloodied, almost popped out of his head. Petechial hemorrhages all over the whites of his eyes. His face twisted, like he’d tried to dislocate his own jaw just to get away.

The sound of Jack punching the dash and swearing brought me back. My stomach heaved, and I got out of the car before I vomited. Folding my legs beneath me, I sat down on the sidewalk and fought down the surge from my stomach. The saliva in my throat and the taste of the bile in my mouth made me gag, but somehow I managed not to puke.

“What the hell happened? I got out of Manny’s early to come pick you up and that asshole was waiting for me in the back of my car. Damn near scared the shit out of me. Are you okay?”

I smiled.

“Yeah,” I said.

Hands on his hips, Jack shook his head.

“I didn’t sign up for his, Eddie. Taking a case against the NYPD is one thing. Getting the hassle from the cops, the media, the court clerks looking at you like you’re a goddamned criminal. I told you not to take this case, didn’t I? Look where it’s got us; we’re broke. Now we got this shit hanging over us. Death threats, Eddie. This will get us and our pregnant client killed. It’s finished. I’m calling Vinnie right now. I’m taking the money. This case is over.”

“No.”

“Are you crazy? That guy almost killed you.”

“He didn’t, though. He thinks he scared us off. We’re going to settle, but not for a couple of thousand. We’ve got leverage now.”

Jack walked off. Stopped, ran his fingers through his hair and swung back toward me.

“I don’t believe you, man. What leverage do we got?”

“We got Mrs. Tulisi,” I said.

For a second, Jack simply stared at me, openmouthed.

“That guy cut off the oxygen to your brain for too damn long. Mrs. Tulisi? Isn’t she the mother of the guy who pays his legal bills in tuna?”

“The very same. I told you earlier she’s good to know, that she’s in city management. Well, I exaggerated a little. She works in the enforcement division of the Transport Department. If you run a stoplight, Mrs. Tulisi can conveniently lose the photograph from the traffic camera for five hundred bucks. Or, in this case, she can e-mail the photo to us in the morning.”

I pointed toward the intersection we’d just come through. A stoplight camera hung from a cable suspended across the road.

“I made you run the red light for a reason. We just got a photograph of Marzone’s partner with his arm around my throat, choking me. If you’ve got five hundred bucks for Mrs. Tulisi, then we’ve got our leverage.”

Chapter Twelve

Jack's second-floor apartment on Avenue B sat above an all-night tattoo parlor. He'd gotten a long lease fifteen years ago, when the area was still a mix of flophouses, bars, and delis. Now you couldn't move for restaurants, gourmet coffee shops, and art galleries. The rent had gone up but was nowhere near what Jack would have to pay if he were just moving in today. Of course, the big bonus came in the shape of the landlord owning a parking garage a stone's throw away from the building. In fact, I got the impression Jack would happily live in a cardboard box if it came with a secure parking space for the Caddy.

I came out of the shower to find Jack had laid out a pair of his baggy jeans and a Public Enemy tee. The jeans swam on Jack—they fit me just fine. We were both around the same size, but I'd spent a lot of time in the gym. Whereas Jack had spent those years at a card table, picking up nothing heavier than a tall stack of chips.

The small dining table opposite the kitchenette held the files that made up the Hernandez case. We'd stopped at the office to pick them up on the way to Jack's place. A cell phone sat on top of the files. A deck of cards split, packed, flipped, and split again in Jack's right hand with fluid ease of a guy who'd spent most of his life around cards. He often did this when he was nervous.

"Vinnie's number is on that phone," said Jack.

I picked the cell phone off the top of the file, placed it on the table, and helped myself to cold, leftover pizza from a box in the fridge. It tasted pretty bad.

"When did you say you ordered this pizza?"

"I didn't," said Jack.

I spat the pizza into the trash, took the rest of it from the fridge and dumped it, too. The only other contents of the refrigerator were a few cans of beer, an aerosol can of Easy Cheese, and a packet of cold cuts from the mom-and-pop deli across the street. I took a Bud and the sliced turkey and sat at the table.

"There's a can of cheese in the fridge if you want it," I said.

"I couldn't eat anything," said Jack, the irony lost on him.

I'd told him about my meeting with Frost. It scared the crap out of him. I'd told him I wasn't too happy about the experience myself. Jack wanted to cash in on the settlement and leave town.

"I'm going to miss this apartment. Call Vinnie; tell him we're taking the money. Do it now, or I will," said Jack.

The turkey was good and the beer was cold.

"We can talk to Vinnie in the morning," I said.

"I don't want to wait that long. This is crazy, Eddie. We didn't sign up for this. You've got a family. So do I."

"Your sister doesn't even speak to you," I said.

"She's still family."

"Look, what if we got the information from McAllister? And we took it to the city's lawyer? I bet we could get seven figures."

"From Boles? You think he could cough up a mil to keep that information out of court?"

"Maybe, maybe more. We can't run the damn case, so we lean on Boles with the statistics on choke hold complaints. We'll have to figure out a way to hit his witnesses with them first. Boles won't like that. It might be enough to make him rattle some dollars out of the commissioner's office. That way we can still come out of this with something for Maria, we're not pushing Marzone, and we're not making the kind of waves in court that could get us killed."

The eleven o'clock news started. Jack racked up the volume. They led with the fatal shooting of Captain Frost and Lieutenant Jones of the Internal Affairs Bureau. Both killed by a high-velocity rifle shot fired from the vicinity of Pier 11.

"Jesus," said Jack. The cards remained still in his hand. His fingers were trembling.

"We can do this," I said.

"I don't think I can."

“I thought you were used to high stakes,” I said.

He slid me an angry look. “Not these kind of stakes. I don’t walk into a game unless I know I can safely walk out of it. This is way different, Eddie.”

Teasing open the blinds, I checked the sidewalk below Jack’s window. The street was pretty well deserted. The only cars outside belonged to residents and visitors to the tattoo parlor.

“They’re out there now, watching us,” said Jack.

“Maybe. But they can’t watch us twenty-four-seven.”

“I don’t care. I’ve had enough, Eddie. I’m out.”

I threw him the cell phone and said, “You want to be the one to call Maria and tell her that? You’re scared. You’re not thinking.”

“Damn right I’m scared.”

“Take a second and think it through. Marzone’s watching us. He sees us meeting Frost. Now, Frost told me he didn’t have anything on Marzone or the Morgue Squad directly, but he had the information on choke hold complaints. But he also lied—he was gonna use me as bait, wait until they tried to make a move on me. Frost struck me as a smart guy. Maybe too smart for his own good. Marzone took out Frost and his lieutenant, why?”

“I don’t know. Why didn’t he shoot you?”

“He could have. Or, the big bastard in the leather jacket could have strangled the both of us in your Caddy, drove us out of the city, and dumped the car and our bodies. He didn’t. Marzone can’t make a move on us directly. You think if the lawyers suing him got killed on the eve of his trial the NYPD would do anything other than arrest him? Think, Jack. We’re too close to him. Frost was responsible for investigating every single cop in this city. Somebody takes him out, you’ve got damn near the entire force as suspects—thirty-five thousand of them.”

“But if Frost didn’t have anything on Marzone, then why’d he kill him?” said Jack.

“That’s what I can’t figure out. He told me he had the stats on choke hold complaints, but that doesn’t link directly to Marzone. He did say something else, though. Said that if he learned to trust me, he’d show me what really happened to Chilli Hernandez. That’s where we should be looking. Chilli’s death exposes Marzone. There’s some kind of link that’s more than a chance encounter with Marzone that led to Chilli’s death. We’re just not seeing it. We can play this out a little longer, Jack. We’ve got to. Tell you

the truth, I couldn't walk away from Maria Hernandez and look myself in the mirror. I just couldn't do it. Hang in there with me. I need you. We can do this together."

Leaning forward, Jack shook his head. Then he threw the phone back at me.

"Call McAllister. Let's see what she's got. If we can't force a decent settlement out of the city, then I say we walk away. There's no other choice here. We got a deal?" said Jack.

"Deal," I said.

I'd dried out the Post-it note with McAllister's cell number and memorized it, even the variables on the final number. First call was invalid; I changed the last digit and dialed again.

She picked up on the second ring. I heard her breath, heavy and quick. She didn't say hello.

"It's Eddie Flynn," I said.

"It's all over the news," said McAllister.

"I saw. What did you tell the cops?"

"Nothing," said McAllister. "This wasn't an official meet. Apart from Jones and me, no one knew Frost was meeting you. Going after Marzone was a strictly off-the-books op. With the quick turnover in IAB, we couldn't have any accidental slips in security. As far as anyone else in Internal Affairs knows, I was taking a look at the scene of an old shooting in DUMBO. So no one has come to ask me any questions about Frost yet. But they will. If you want the information, I've got it. The only question is, how do I get it to you?"

Chapter Thirteen

Jack had given me a ride to Brooklyn to pick up my car.

“Are you sure you want to do this?” he asked.

Old Fulton Street looked deserted. Ten after midnight. Not a single person on the street. The only sound was the East River gently washing against the pier and, overhead, the distant sound of traffic on the Brooklyn Bridge. Leaning forward, I checked the windows of nearby buildings. No lights. We waited.

I nodded at Jack and got out of the Caddy. Before I got into my own car, I went down on my knees and checked underneath it. Nothing looked unusual, certainly no alien devices hanging beneath. I unlocked the car, got in, and hesitated before I inserted the key. Checking around the center console, I couldn't see any signs of tampering. I put the key into the ignition. What if somebody hooked the starter motor to a device tucked in beside the engine block? I popped the hood. Got out. Nothing out of place on the old Ford. I got back in, took two deep breaths, and turned the key. Just the regular splutter from the V6. Thumbs-up to Jack. He passed me in the Caddy, and I pulled out behind him.

Left onto Furman Street and then a right loop onto Atlantic Avenue and the access road for the Brooklyn-Queens Expressway. A steady forty miles an hour behind Jack's big taillights. Turning east, the three-lane highway became partially covered on the right by the Brooklyn Heights Promenade. I followed Jack off the 278 at Bridge Park, and another loop brought us onto the Manhattan Bridge. As we'd agreed, I overtook Jack on the bridge. He hung back and changed lanes. Far as I could tell, we didn't have a tail, and Jack was double-checking, watching the vehicles to the rear, keeping a

lookout for the blue SUV, or any other car that seemed to be hugging our tail.

Jack sped past me, flashed the lights. No tail that he could see. We exited at Forsyth, which brought us down to ground level, and then a left took us past the end of Chinatown and to the Lower East Side. Fine-dining restaurants, invitation-only art galleries, boutique furniture stores, and hipster coffee that ran at eight dollars a cup. Half a mile north, then a dogleg right at the end of Allen Street onto East Houston and then Avenue B. The coffee got cheaper, the beards a little shorter, and the area a little friendlier.

The tattoo parlor below Jack's apartment looked empty, but the lights were still on. Probably getting ready to close up. The Caddy's nose stopped in front of a roller door. Jack got out, used a key to raise the shutter, stepped inside, and hit the lights. He drove in. I followed. A neighbor of Jack's, a Miss. Corstana, was staying with her mother for a week. Mrs. Corstana Senior had just been released from hospital following a minor stroke. While she was away, Jack was feeding her cat, or was supposed to be. Miss. Corstana's parking space was free, and I pulled up beside the Caddy.

I killed the engine and waited while Jack closed the shutter doors. The clang of the metal tongue hitting the concrete killed the motor noise from the rollers. I got out and stood at the trunk of my car, beside Jack.

I popped the trunk. Detective McAllister unfolded herself and got out. She stretched her back, letting her arms hyperextend, rolled her neck, and turned back toward the trunk. She came up with a large, bulky brown paper envelope.

"It's all here," she said.

Chapter Fourteen

“What kind of man doesn’t have any food in his refrigerator?” said McAllister.

“Jack’s not convinced that eating is good for you,” I said.

“Then why the hell is his fridge so big?” said McAllister.

She had a point. The one appliance that dominated Jack’s studio apartment was the extra-large classic red refrigerator. Home to the loneliest aerosol can of cheese in Manhattan. She settled for a beer but didn’t pop the can. Instead, she held it against her neck, then her forehead.

I guessed that McAllister was in her late twenties, maybe early thirties, thin but physically strong. I could tell that she looked after herself. Frost had trusted her with the information he’d offered to me, so by definition she was a serious operator. There was no wedding band on her tanned fingers.

Jack and I sat at his dining table. The large envelope McAllister had brought with her rested unopened on the table in front of us. There were only two dining chairs, so McAllister reached behind her, pulled a Glock that sat low on her back, set the weapon on the counter, and hopped up beside it. She popped the tab on the Bud and took a long drink.

With her head back, eyes on the ceiling, the Bud to her lips, I noticed that her other hand strayed to the Glock on the counter. This was not a woman who felt safe. I got the impression she’d lived that way for a long time. And no amount of weapons on hand, or hours spent with the iron in the gym, would make her feel any safer.

The envelope remained untouched.

“Frost and Jones died to get you that envelope,” she said.

“No, they didn’t,” I said.

“How do you figure?”

Jack got up and poured two mugs of coffee.

“Before he died, Frost told me he had nothing on Marzone or the Morgue Squad. He knew they were keeping a tail on me because of the Hernandez case, and that’s why he set up the meeting. I guessed that Frost wanted Marzone to see us together. His theory was that Hernandez’s murder exposed Marzone in some way, and he wanted to make him itchy. Itchy enough to try to take me out. It was Frost’s plan. He wanted to catch Marzone making an attempt on my life. It backfired.”

“Bullshit,” said McAllister.

“I’m telling you the truth.”

She put down the beer and studied me.

“You’re trying to tell me that the head of IAB deliberately put a civilian at risk to catch a dirty cop? I don’t buy it.”

“I’m not selling it. Frost said he had the real statistics on choke hold complaints in the NYPD and the evidence to show that those complaints, even when they’re upheld by the Review Board, don’t result in disciplinary action against the officer. That doesn’t tie Marzone to a crime, but it’s useful for the Hernandez case. What did Frost tell you?”

“Not much. I’ve only been in Internal Affairs three months; transferred in from Robbery Homicide. I’m trying for lieutenant, so I need the IAB detail to work up my application. I’ve got a decent amount of time on my badge, and I was new. Frost wanted a senior officer he could trust. He told me you could connect the dots from the Hernandez killing to the Morgue Squad. Exactly what that connection might be, I don’t know. He wouldn’t tell me. It sure as hell wasn’t to put a target on your back. Jones told me you might not even know what you have, so we wanted to set up an exchange of information. You show us what you got, we show you ours.”

“What is the Morgue Squad?”

Her eyebrows went north, as if somebody pulled the skin taut on the back of her head.

“You don’t know?” she said, and turned to direct the question at Jack and me.

“No,” we said together.

She leapt off the counter, lifted her weapon, and slipped it into her waistband.

“Then I’m wasting my time. And Frost wasted his life,” she said. She leaned over to grab the envelope.

“Wait. We might have something that helps you nail Marzone. Maybe it’s like Frost said. We might not know we have it. You can appreciate we’re a little nervous,” I said.

I told her about Roark choking me in Jack’s car. The ultimatum to take the settlement or a bullet.

McAllister picked up the envelope and emptied a half dozen manila files onto the table. She flicked through them, found a file, and flipped it so that I could see the cover. A photograph was pinned to the top left-hand corner of the file.

“That’s the guy,” I said.

“According to Frost, this guy is Marzone’s right hand. The Morgue Squad don’t take on work unless Marzone and Roark both agree to accept it.”

“What kind of work?”

“You really don’t know, do you?”

“No, we don’t,” I said.

“Let me put it this way—the Morgue Squad run a cleaning service on contracts.”

Jack and I exchanged glances. Neither of us got it.

“What kind of contracts?” said Jack.

“The kind that get people killed,” said McAllister.

Chapter Fifteen

Like all of the most lucrative criminal operations, at its core it was simplicity itself. McAllister had not deviated from the story. Occasionally she would take a sip of beer, or sweep her dark hair behind her ear, but she spoke straight and clear, sparing no details.

“The Morgue Squad came into being because the NYPD started getting real good at their job. Clearance rates for serious crimes hit all-time highs, with more murders solved than in any other years in recent memory. Plus the murder rate hit rock bottom. In the early nineties there were almost two thousand murders a year. That number dropped and has continued to fall. Last year there were just over three hundred, the lowest murder rate on record. Most murders in New York are domestics gone too far, but a good amount are drug or gang related. And we guess that around twenty to thirty murders in recent years are contract hits. In the nineties that number was well into the hundreds.”

I’d heard this before, on the street. If you ran a con operation in New York, you had to know who was off-limits. I knew the guys who could put out contracts, and I knew, by reputation, some of the guys who accepted them. There was no doubting the economy—if you were a contract killer in New York, then all the good money was made in the nineties.

“I’d heard on the homicide beat, from some of the twenty-year veterans, that there was a very real market for contracts. We’re talking high-profile hits. People with money and protection—informants in police custody, gangsters, other hit men, politicians, cops, lawyers, even top drug traffickers and cartel enforcers were targets. According to the cops I worked with, Kuklinski got most of the work in New York because he was thorough, reliable, and safe; he hid the bodies in his freezer for a few years

to mask the time of death, or he made it look like suicide or slipped the corpse into the Hudson so it would never be found. The Iceman got the work because he ensured nobody ever came looking for him, much less the man or woman who put out the contract.”

“Kuklinski got caught, didn’t he?” said Jack.

“Sure did, in the 1980s. I worked with a cop who was on the Iceman taskforce. When Kuklinski went down, there was a gap in the market. A lot of people tried to fill that gap. Half a dozen emerged vying for the number-one spot in Manhattan. Only one of them is alive today. He’s still working, and he’s still number one.”

“Because he disguises the kills?” I said.

“He does a little more than that. We don’t know the exact setup. What we do know comes from convicted felons, lifers. A cop in IAB investigated a complaint raised by the Innocence Project. They were working a case for a guy named Jason Fenton. In 1994 Jason Fenton was convicted of the murder of his neighbor Doreen Bird. They lived a few floors apart in luxury condos on the Upper West Side. A janitor saw Doreen and Jason leave the building together one night, and Doreen never made it home. She was found a few days later in a motel room in Jersey with her skull beaten almost flat. The desk clerk remembered her but couldn’t remember what the guy she was with looked like. Luckily, a drunk from a local bar caught a good look at the man who accompanied her to the motel, as did the janitor. They picked Jason out of a lineup, and the DA ran with the case.

“Jason protested his innocence, said he wasn’t with Doreen that night. Instead he’d gone to a movie and then went home. Jason had no priors and he was a pillar of the community. The DA ran with the eye-witness evidence and hair fibers from Jason that were found on Doreen’s clothes. He got twenty-five to life. The Innocence Project lawyers reinterviewed the witnesses about three years ago. While Jason had always maintained his innocence, the Innocence Project lawyers had refused to file an appeal. That changed when Jason sent them a letter he’d received from one of the prosecution witnesses—the building janitor, Louis. By this time Louis was into his seventies, he was retired, and had survived his first heart attack. In the letter, Louis maintained that when he was near death in the back of the paramedics’ van, his only regret was giving false testimony against Jason. He wanted to change that. The Innocence Project sent an investigator to interview Louis, who in turn confirmed that he’d been threatened. Not by

police, but by someone who'd told him to ID Jason or he would be killed. After a little more digging, the drunk confirmed that he'd been leaned on to pick out Jason and that it was a cop who'd told him to do it in exchange for a thousand dollars cash."

She took another pull on her Bud. Wiped her mouth and continued.

"So, some of the lawyers from the Innocence Project make a complaint to IAB, and both the NYPD and the project's volunteer lawyers go pay Jason a visit in prison. That was their mistake. Visits like that don't go unnoticed. Within a week, the janitor, Louis, had another heart attack, the drunk who'd been clean for a year bought four bottles of Wild Turkey and choked to death on his own vomit. And Jason had a nasty fall in the showers at Sing Sing and cracked his head so bad he died instantly.

"All three of them gone inside of three days. Coincidence? Maybe. But I didn't buy it. Neither did IAB, and they began running checks on all the detectives, experts, and witnesses who were involved in Jason Fenton's trial and cross-checked them against their database. Turns out the complaints of false testimony solicited by police, of which there were around ten separate complaints, shared a common theme. The coordinating detective was Marzone. IAB started to breathe down Marzone's neck, but he played it smart. There was no direct evidence that Marzone had set anyone up, and eye witnesses in the other murder cases were questioned and continued to stick by their testimony."

"But the doubt had been planted in that cop's mind, right?" I said.

"The cop was Albert Frost, and his partner was Rick Jones. They both continued to dig, unofficially, while they rose through the ranks. Frost suspected a hit man had an arrangement with a small group of homicide detectives from a select number of precincts. Usually those in the Bronx, Manhattan, Bedford-Stuyvesant, and Harlem, the areas with the highest murder rates. For a fee, those detectives ensured that when a hit went down, somebody else got convicted."

Jack's coffee mug shattered on his tile floor, startling him. He jumped back, his hand covering his mouth.

"Eddie, what the hell have we gotten into?" he said.

I watched McAllister drain the last of her beer. When her head came back down, she looked at her boots, then looked at me. I'd seen this before—after a player had finished a performance. A lot of what McAllister had said sounded like the truth, but her look—she wasn't telling us everything. In

fact, she'd lied a little. In this situation, I could've gone one of two ways. Let her talk, hoping she'd give me a little more, or just call her out and see how she reacted.

I decided to give her a little more rope.

"The Morgue Squad?" I said.

She nodded.

"There are no more than half a dozen in the squad. Detective Marzone runs the operation. He calls the kills, sets up a suspect before the hit man carries out the murder, and puts the primary evidence in place. The secret is making sure the patsy doesn't have an alibi—so the murder has to be timed perfectly. Hernandez is supposed to have knifed Genarro for his wallet, but the wallet was never recovered. It just so happens that Genarro was in the process of renegotiating his union's terms with four of the largest construction firms in the city. Genarro was a hard-ass, and we understand he was ready to call a strike. He never got the chance. Frost thought Hernandez was the latest patsy for the Morgue Squad, but somehow it all went wrong when Hernandez got choked out. Your case is the key to blowing open the Morgue Squad investigation."

"What's your first name?" I said.

She was about to sit down at the table, but my question arrested her movement. Caused her to pause. Just half a second, but a pause no less. Her eyebrows rose, and her lips pursed together in a grimace that was there and gone in a moment, and as it left, she sat down. Crossing her legs, she looked at me again and spoke.

"Lilly," she said.

In her boots, double denim, and with a gun in her waistband, she sure didn't look like a Lilly. Not that she was unattractive—far from it.

"Short for Lilith or Elizabeth?" I said.

"Elizabeth," she said, looking at the table and then at me.

Subtle differences in her tone, the speed of her delivery and eye contact. She was definitely lying. Not about her name, though. That was a control question—one that gave me a truthful answer.

I decided it was time to call her out.

Chapter Sixteen

I'd been a con artist for most of my life, and I could spot a lie, but the grifter life didn't teach me how to read people. That was my mother. She was Italian and grew up in a household with eight brothers and four sisters. My father could con anyone apart from my mother. Growing up in that house, my mother had nurtured one of the world's finest bullshit meters. The only thing my father successfully kept from her was the fact that he was teaching me his trade and letting me learn how to box. Even then, I suspected my mother knew all about it but was content to let her boys think they'd fooled her. Maybe she thought it brought me and my dad closer together and she didn't want to break that pact.

Watching my mom, I'd inherited that fine instinct for spotting a lie. And that's all it can ever be. Lie detector tests can be beaten. You can't take a course for lie detection. Either it's in your blood and you grow up with it or you don't.

"Lilly . . ." I began.

"I prefer McAllister," she said.

"Fine. You told us a lot. But you've glossed over a few things here and there, and lied a little, too," I said.

A slight tremble at the corner of her mouth. The muscle twitching to keep the face straight, to restrain the smile or the surprise of being exposed.

"You didn't join IAB to help you make lieutenant. You were drafted by Frost. In the first three months of IAB, you'd still be catching up on the caseload left behind by the cops who'd bowed out after their mandatory two years, you'd be learning how to conduct basic integrity tests and generally getting up to speed on the way things work in the rat house. No, Frost drafted you into IAB for a reason. I'm guessing it's because you somehow

made a possible connection between the top hit man in New York and Marzone. You went to Frost with it, as head of IAB, and he insisted you join him. Am I close?”

She said nothing. Her dark eyes remained purposefully still, like the shadows of twin clouds on a sun-polished winter lake.

“Whatever you had on Marzone and the hit man wasn’t enough for an arrest, but it was enough to get Frost and Jones moving. Come on, I’m not stupid.”

“They didn’t get anywhere until I came to them. I’d been working on establishing a pattern of travel for a hit man. We had reliable intel from several snitches that this guy ran contracts on the East Coast. I began tracking his movements, working on his flight history, his credit card statements. All of it was clean, but at the same time, far too clean. The guy owned a chain of Laundromats, and he would regularly fly two thousand miles to check out how his businesses were doing. But he stayed in hotels that were too far away from the Laundromats, he paid in cash and didn’t submit receipts for travel expenses to the IRS, and he never brought a laptop or a cell phone with him. He was either the worst businessman in the United States, or a guy who liked to travel light and leave as little trace as possible.

“I was able to link key dates from several different murders to coincide with visits from our out-of-town friend. This guy was like the angel of death. Every time he came to town, somebody got whacked. And Marzone or a detective with known links to Marzone made the collar for the murder. But that’s as far as it went. Weak circumstantial evidence and a solid conviction behind every murder.”

“You discovered Marzone was watching us, and that set your little heads alight with possibilities. I suppose a review of the Hernandez murder didn’t link it to the hit man,” I said.

A flash in her eyes. I was wrong. There was a link. Something I hadn’t seen or may have missed.

“You didn’t have enough for an arrest, but you know that Marzone is concerned about the case. That’s when you went too far. I don’t believe for a second you didn’t know Frost was going to use me as bait, that the meeting on the ferry was anything other than a signpost to Marzone that I was a target that needed taking care of. You wanted to catch the hit man, or Marzone with a gun to my head. That was your only shot, wasn’t it? None

of the other murders came to anything against Marzone because he controlled the investigation, the crime scene, everything. But what if you knew who his next victim was going to be? Then you could see the whole setup and catch the players as they made their moves—on me and Jack. Maybe even Maria.”

She dipped her head, trying to find the answer on the floor, or maybe just immersing herself in an old feeling, an old emotion. The dark hair parted as she raised her head and nodded.

“Yeah, I told Frost I wasn’t cool with it. I think I said something about putting civilians at risk in order to close an investigation, maybe I talked about ethics. But you’re right. I could’ve washed my hands and walked away. Instead I spoke my mind and did my job. You know what Frost said when I objected?”

I cocked my head, leading her on.

“He said lawyers aren’t real people anyway; what does it matter if we lose a few on the way.”

“Shame,” I said. “Up until that point Frost was really growing on me.”

It was the first time I’d seen her smile. She looked different. The hard aspect left every part of her. She suddenly became softer, and more dangerous. I’d seen that kind of smile before. It was the kind of smile that could set your house on fire.

“What now, Eddie? We can’t roll on these guys. It’s not worth it,” said Jack.

Both of them looked at me. I stared at the files on the table. Jack was right. Putting our lives on the line was stupid. We were lawyers. We didn’t owe Maria Hernandez our lives—just our professionalism.

I nodded at Jack. “I don’t care what you and McAllister want to do, but I’m not settling this case.”

“What? Are you stupid?” said Jack.

“I probably am stupid. But I’m not walking away. And I’m not taking the two and a half grand.”

“You’re not stupid. You’re just plain crazy. You’re really going to run this case in court after the warning we just had? After you saw two men shot in front of you?” said Jack.

“It’s not just about Maria and Chilli anymore. Think about the people Marzone has allowed to be killed and the people he’s put away. Innocent

people. How many lives have been ruined? No, this has to stop. Tomorrow we take these bastards down.”

Chapter Seventeen

Two pots of coffee, a few more beers, and a few hours later, I had been through all of the files and data McAllister brought to the table. There was some juicy stuff in there—statistics that I could make work for Maria.

The files on the Morgue Squad made grim reading. Slab Marzone was forty-nine years old, a former linebacker for the Sentinels, and had a psychological profile that would frighten Hannibal Lecter. He was going through his second divorce, and thankfully he hadn't yet had any children with either of the ex-Mrs. Marzones. Officially he'd killed three people in the line of duty. Two in one incident—a robbery in a liquor store. After each shooting he'd been cleared by IAB, but the force psychiatrist recommended that Marzone should not return to active duty. She said there were unresolved anger issues and that Marzone showed a lack of basic human empathy. So the commissioner's office paid for a second opinion after the union kicked up a stink, and Marzone got a clean bill of health both times from a so-called independent head shrinker handpicked by the union. That's the thing about police unions. They protect their own—even the bad ones. Although in this case, I thought the union might've changed its mind if they'd known what Marzone was really up to. But their doctor had come through for Marzone, anyway. I got the impression the union's doctor of choice would tell you Charles Manson was a pussycat if you paid him enough.

His pal Roark was another guy who didn't score too highly on the head exam. One phrase stood out in his most recent psyche report—"borderline sociopath." Not the kind of guy you want on the street to protect and serve. Again, union pressure and a second opinion and Roark was good to go.

There were a half dozen more files on cops who were suspected of involvement in the squad. They weren't yet players in this game. I read the files and studied their pictures, just in case one of them tried to make good on their threats. Two of them looked like the cops who'd tried to grab me coming off the ferry.

The last file was the most interesting to me. It was a collection of the evidence that McAllister had presented to Frost in relation to the connection between a contract killer and the Morgue Squad. Pictures of the original crime scenes, some images from security cameras. I spread them out on the table.

"See if you can spot the connection. Keep in mind I had a couple dozen photographs per crime scene," said McAllister.

In front of me there were only twelve murder scene photos. One picture from each scene. In some photos the body wasn't even in the shot. They were each taken from a distance, showing the location of the crime: a stairwell, a men's room, a street corner, an alleyway. In some shots you could see crime scene techs, or the ME, or cops, but in a lot of them there were no personnel at all.

I returned to the stairwell photo. A dark stain on the landing but no body. One of the lights on the wall was out. But below the unlit fluorescent tube, I saw something. A mark, beside a heavy piece of graffiti. I quickly scanned the rest of the photos. It was there, in all of them.

A small white cross, drawn in chalk on the wall. I thought about the cross Roark had drawn on my chest. The hairs on my hands stood up, and I felt a cold, sick feeling in my stomach.

"The crosses," I said.

Her eyes were focused on the street below as she spoke.

"Some of these murders were almost ten years apart, and nobody thought to look at the marks on the wall. Sure, the detectives checked for gang tags, but nobody thought to look at the chalk marking. Or maybe they did and just ignored it. That was my thought. So I checked the files and found the same small group of detectives came up again and again as leads on these murders. Marzone, or cops with strong connections to him, worked these cases. This was the link," said McAllister.

"Frost hinted to me that he had something else hidden up his sleeve. That he knew exactly what happened to Chilli," I said.

“Did he tell you this, or are you reading between the lines?” asked McAllister, swinging away from the window and giving me her full attention.

“He told me. Didn’t tell me what it might be, but it was more than a hint. He had something.”

“If he did, he never mentioned it to me.”

“Where did he keep his files?”

“In the filing cabinets in his office. Actually, in the *locked* filing cabinets in his office.”

“You managed to pick your way into my Ford,” I said.

“Yeah, but, no offense, the lock on the filing cabinet is a little trickier than the lock on the trunk of your car.”

“Thanks. It’s an old car. So you think you can get it?”

“I don’t know,” she said. “I’ll think about it.”

Two hours of sleep. I was used to it. My body somehow adjusted to sleep deprivation after a while. This happened just after Amy was born. I was working the night courts, coming home at five a.m. and looking after Amy while Christine got some shut-eye. As much as I loved my daughter, goddamn it, she didn’t sleep until she was two years old. I could handle it for about eight days—going on only an hour of sleep each night on a bench outside of a court, or in an office on the top floor of the courthouse. But at the end of those eight days, I would begin to hallucinate. I’d even fallen asleep in the car once. Trust me, you only do it once. Waking up in a lane of oncoming traffic, doing thirty miles an hour, that shit’ll wake you up fast. Thankfully, I didn’t have an accident. I’d managed to swerve back onto my own side of the road just in time.

Those two years were hell, but now I was reaping the benefits. A couple of hours on Jack’s couch felt like a night in a Park Avenue hotel.

I thought over my late-night call with Vinnie.

“We want to settle. But we’re not taking two and a half. You’ve got to do better,” I said.

“Why should I? My client tells me you’re running scared, Eddie.”

I thought about throwing the phone into the wall, then driving over to Vinnie’s and putting his head through a window. I didn’t, of course. Playing smart is better than playing hard.

“Fifty,” I said.

“Good night, Eddie. Hope you can manage some sleep before tomorrow.”

“Wait. Hold on,” I said. I wanted Vinnie to think he had the power here.

“What about ten?” I said.

“Ten is too much. The offer is two and a half grand.”

“So meet me in the middle. Five.”

Silence on the other end. I could almost hear Vinnie’s little vindictive brain working overtime. Ultimately, he had to protect his client and bury this case. Now that he had the upper hand and knew the case would go away, he had to think about protection for Marzone. If Marzone paid money to a victim, he could be seen to be admitting some wrongdoing. That could be enough to get him kicked off the force. There was an alternative, but most reputable lawyers would never even think of it.

At that moment, I was kinda glad that Vinnie was a bad guy.

“I’ll pay five. But you gotta dump,” said Vinnie.

Perfect. A dump is where a case is settled out of court, but the settlement itself is secret. So we would go into court, tell the judge we wanted to withdraw the lawsuit. The legal proceedings get struck out, and the defendants get a verdict in their favor. The fact that they handed over a bunch of money under a table to get their verdict is kept a closely guarded secret. There’s not even a confidentiality agreement—it’s all clandestine and illegal. All I had to do was tease him now, convince him by getting him to convince me.

“That’s not going to wash with my client. When I first saw Maria, she told me she didn’t want money; she wanted justice for Chilli. We need the judge to record the settlement, make it public, so that Maria knows she did right by her man, that she cleared his name.”

“So your widow’s got principles, great. They cost money. And they come with a big risk. What if she fell down the court steps one day? Woman in her condition could fall anytime and that could be a disaster for the baby . . .”

“Are you threatening *her* now?”

“Of course not. I haven’t threatened anybody. You dump the case in the morning, and we’ll settle up later.”

“No. Money first. Cash, and you can’t bring it by the office. I’ve had half a dozen reporters torturing me all week. They’ll be camped outside, so we need to do this someplace else.”

“Let’s say I could get the five, where and when?”

“We got a guy in Little Hong Kong. He’s an old friend who does our process serving all over Chinatown. You’ll find him eating breakfast at Harry Lam’s Restaurant on Orchard Street. He goes in there six a.m. and he’s out of there at six thirty. Name’s Jiang.”

“And how will I know who he is?”

“He’ll be the guy with the big plate of egg rolls, a cup of coffee, and the *Bangkok Times*. You can’t miss him.”

“I’ll be there,” said Vinnie.

I disconnected the call.

If we were going to war with the Morgue Squad, I needed a way to control their lawyer. In the last few years Vinnie had kept his nose clean, at least in public. No more wining and dining jurors. Those days were behind him, but he still carried the rep.

That bad reputation gave me a way in. A way to place Vinnie in the palm of my hand.

Chapter Eighteen

At five thirty a.m., I sat in a cold, cherry-red Chevy. McAllister's car. It was just the two of us, and we hadn't said a word to each other for ten minutes. The detached Colonial home some three hundred yards ahead of us remained silent, too. Vinnie had not left his house, and his car sat in the driveway. The sun broke over the houses in this little patch of suburban New Jersey. Dogs barked their good mornings at the lawn sprinklers and the houses began to wake. I blew into my hands to warm them. We couldn't risk turning over the engine and starting up the heater. Too much noise.

"You got a family?" I said.

"My father's in Florida. That's it," she said, without looking at me, killing the conversation.

Radio was turned off—to save the car battery. No coffee either. McAllister had slept in Jack's spare pullout bed. While I'd worked at the kitchen table, I'd heard both of them snoring softly. I didn't know how either of them could sleep—eventually I'd nodded off on the couch, but not for long.

A yawn escaped from me, and McAllister leaned over from the driver's seat of her Chevy and said, "Cover your mouth; you're misting the windows."

"Sorry," I said.

We let the silence back in.

I hit the button to draw down my window.

"Roll it back up," said McAllister.

"I need some air," I said.

She used the master control on her door console to shut my window.

“You put that window down again and I’ll kick you out of this car,” said McAllister.

“Relax, it’s just a window,” I said.

Her jaw was set firm and she looked at me hard. Then, as quickly as the anger had arrived, it passed.

“Sorry,” she said. “An open car window is the reason I’m sitting here.”

I nodded, not really understanding. I could tell she wanted to explain, but I knew not to ask, just to wait and listen.

“When I was a rookie out on my first patrol, my supervisor told me that you always got to be on your guard. I did my time, and I was two days from being signed off as a trainee when we stopped our patrol car at the newsstand on Ninety-Eighth Street. I got out to buy a paper and some Cokes. It was one of those summer days that’s hot enough to melt the blacktop. My supervisor rolled down her window and stuck her arm out of the car for some air. A guy rolled up beside her on a motorcycle, stuck a gun in the car, and shot her in the head. She was a fifteen-year street cop; knew all the angles and taught me more about the job than anyone else. You know what I did? I froze. Didn’t even manage to pull my gun. That’s when I started to work toward a detective shield. I wanted to work homicides—hit men in particular.

“Since I’ve been in Internal Affairs, I can see the attraction to that kind of work, too. Bad cops make everyone stink. Especially those who spent every working day of their lives helping people before they caught a slug from a .45. When a cop gets rough with a suspect, it makes people scared of the police. You can’t blame them. You ask me, Internal Affairs is the most important division in the whole department. We’ve got to keep our own honest and clean. For the real cops. For the cops who give everything to this city.”

“I think you’re right,” I said. “You could say the same thing about lawyers. Most of us do our job and try to help our clients. We don’t want the guilty ones going free because we beat some part of the system, or found a loophole or a breach of procedure that gets some asshole off of a murder or rape. Most lawyers couldn’t do that, don’t want to do that—me included. I want to be able to go home and sleep at night. The likes of Vinnie Federof? He thinks he’s there to get his client off a charge. That’s it. Even if the client told him he’s guilty and wants to take a plea, Vinnie wants

to win. I've got a feeling that after today, Vinnie might turn over a new leaf."

Movement. At last.

A small figure in a well-cut but ugly blue suit left the house. Vinnie carried a brown paper bag in his hand. He got into a silver Mercedes and started it up.

"We're on," said McAllister.

Vinnie reversed the car out of the drive and pulled away. Soon as he turned the corner of his street, McAllister lit up the engine and went after him. I called Jack.

"Hey, he's on his way. Expect him in twenty minutes. You ready?"

"No. I'm thinking this isn't going to work. We should just take the money," said Jack.

"You getting scared?"

"Of course I'm scared, Eddie. I'd be an idiot if I wasn't scared."

"But you know this is the best way, right? This puts an end to it."

A heavy sigh buzzed the mike on Jack's cell phone.

"I can't do this," he said.

"You can. Listen to me. If you mess this up, we're done. Do you hear me, Jack? You've got to play it exactly as I told you."

"All right," he said, and hung up.

"Problems?" said McAllister.

"Jack. He's not cut out for this," I said.

"Well, that's the first sensible thing I've heard you say. Congratulations."

Chapter Nineteen

We followed Vinnie into Manhattan's Chinatown. At that time of the morning, the narrow streets were backed up with delivery trucks. Eventually, Vinnie gave up the drive, parked a block away, and walked to Orchard Street with the package. McAllister and I stayed in the car and looped around so that we parked around fifty feet away from Harry Lam's Restaurant. No sign of Jack, which meant that Vinnie was still inside.

"You think Jack can do this?" said McAllister.

"Maybe I should back him up," I said.

"Couldn't hurt," she said.

I got out of the car and crossed the street. A Chinese laundry, also owned by Harry Lam, sat two doors down from the restaurant on the opposite side of the street. I went in and found Jack nursing a coffee in a Styrofoam cup while he watched out the window.

"I'm coming with you," I said.

He nodded, patted my arm, and asked if I wanted coffee. I told him to wait, that we'd see Vinnie any second. Sure enough, within a minute Vinnie strode out of the restaurant minus the brown paper package. Jack followed me out of the Laundromat, and we crossed the street, intercepting Vinnie. He saw us and nodded, smiled.

"I already gave it to your guy. Congratulations."

Jack and I looked at each other, then back at Vinnie.

"No, you didn't," I said.

"What? Sure I did. Guy eating egg rolls in Harry Lam's. Yang or Jiang or whatever the hell his name is. He was expecting it. Took the package and thanked me."

"You're playing us, Vinnie," said Jack.

“Come on, I’ll show you the guy,” he said.

“No need,” I said.

At that moment, an Asian guy in a black sports coat came out of Harry Lam’s, carrying the *Bangkok Times* under his arm. It was Jiang, our process server. He looked around and spotted us, came over.

“No package,” he said.

“This isn’t the guy,” said Vinnie.

“No shit,” said Jack.

Without another word, Vinnie ran back into Harry Lam’s. As soon as he disappeared into the restaurant, Jiang took out his phone and showed us the video of Vinnie giving the package to another Asian guy who was sitting in Harry’s eating egg rolls and reading the times.

“We got him. Harry Lam was cool with it. We go way back. He took the package and left the restaurant through the back before I got out of my seat. I’ll take my cut and hold on to the four grand for you guys. Harry said he’d leave the money in my office,” said Jiang.

“I take it Mr. Lam had no clue about what was really going down?” I said.

“No. I told him it was a favor and I’d owe him. That’s enough for Harry Lam. This is Chinatown—most of the real money around here passes under the table anyway, so it’s not unusual,” said Jiang.

A few minutes later, Vinnie came out of the restaurant shaking his head. He looked pissed.

“This is your fault,” he said, pointing a finger at me.

“We’re five grand light. How the hell is this our fault if you can’t even make a simple drop? And you’re the one who insisted on the case being dumped—remember that. This case has a decent profile, and we got reporters all over. This is down to you. Five grand, Vinnie, before nine a.m.,” I said, and together we turned and walked away from Vinnie as he swore and kicked at a pile of trash beside a fire hydrant.

“Eddie, tell me we’re not making a huge mistake,” said Jack.

The taut skin on his bony face shined with sweat.

I tore my gaze away from him and said, “We’re okay. For now.”

In truth, I didn’t believe it. Things had gone as planned so far. I thought that right here and now, if Vinnie had to think of the worst possible person he could hand five grand to, he couldn’t have picked worse than Harry Lam.

Without knowing it, Vinnie had fallen back into his old ways.

Chapter Twenty

The crowd in the courtroom was a strange mix of people. Some reporters, fewer than I'd expected, but a lot of representatives from civil rights groups. Men and women who devoted their time to helping their communities and giving a voice to those who needed it. Some of them had rallied around Maria Hernandez in the immediate aftermath of Chilli's death. They made bold statements of condemnation to TV anchors, bloggers and reporters, and anyone else with a platform. But they didn't offer Maria any help in funding a case against the NYPD. They all said that Chilli's background made him "inappropriate" for a test case. They were waiting for an innocent Hispanic or African-American kid to get choked to death before they put money on the table.

I couldn't blame them. Their passion for their cause was righteous, and given Chilli's criminal history and the NYPD's case that Chilli had killed a man the day before he died, it didn't make this case a sympathetic one with the media.

It was 8:50 a.m. No sign of Vinnie or his client. Jack was out gathering the last pieces of our puzzle, and McAllister was back at Internal Affairs, trying to get a moment to bust open Frost's filing cabinet.

The city's lawyer, Alfred Boles, tapped his pen on the table impatiently.

In the seat beside me, Maria wiped at her eyes with a tissue and blew her nose. She was still in her twenties, with a soft, kind face and generous eyes. She wore the same floral patterned maternity dress that I'd seen her wearing the last few times we'd met. Money was beyond tight for Maria. Gently, she rocked back and forth. Her fingers locked around the child in her belly. I put a hand on her shoulder and she stopped.

"We're gonna do our best, Maria."

She nodded and forced a smile. “I know. You told me how hard this would be, but I didn’t think it would be this hard.”

More tears, more black lines on her tissue from her mascara.

“It’s not right, what happened to Chilli. I know he’s watching. I have to make them understand that they can’t do this to people. Look at them—they don’t even care,” she said, gesturing toward Boles.

In fairness to Boles, he was a career lawyer with the city. He’d been defending the city for more than thirty years. That length of experience on the job will build you a layer of cynicism an inch thick. It was partly protection for Boles, some form of self-preservation; let’s face it—if you go home to the wife and kids every night believing you’re a bad guy, you simply won’t last in the job. Instead, you let yourself get suckered into believing your client is good and other people are bad. You fool yourself—and hope that it’s true. This wasn’t the first time Boles had defended a cop accused of killing an innocent civilian, and unfortunately, it was unlikely to be his last. Most cases settled, but this one was different. The city was keeping its distance from Marzone, for the right reasons legally, but my God, if only they knew the half of it.

“He’s just doing his job,” I said.

“I know, but how does he sleep at night?”

At that moment, a guy who presumably slept pretty well at night came into court like a walking refrigerator.

It was the first time I’d laid eyes on Marzone in person. His suit must’ve been specially made to fit him, and if the tailor knew what he was doing, he probably charged for the cloth by the yard. He was a true hulk with a flat, dead face and arms that could break me in half. A wide seat had been left out at his defense table. He just about fit into it. Roark came in behind Marzone and sat close to him. Vinnie approached me, and I got up to meet him halfway between the plaintiff and defense tables.

“We’re done. I’ve got another five in my car. You can get it after you pull the case.”

“Things have changed, Vinnie. I don’t trust you,” I said.

He raised his eyebrows, inclined his head; he couldn’t believe what he was hearing.

“You got a death wish? There’s somebody on their way here, you know? This guy wants to make sure this case goes away. I wouldn’t mess with this man if I were you.”

Marzone and Roark were already in court. Vinnie was talking about the hit man. He knew of the connection between the Morgue Squad and the killer—but I doubted if he knew the true significance of that relationship. If Vinnie knew everything, I doubt he'd get himself involved, unless, of course, he didn't have a choice in the matter. It's hard to say no to a man who could put a bullet in your head.

"Thanks for the heads-up," I said, turning away from him.

I took my seat at the plaintiff's table and gave Maria's arm a light squeeze.

"They want to buy us off with five grand," I said.

She wasn't listening. Her eyes were fixed on Marzone, who, in turn, stared straight ahead and was careful not to make eye contact with Maria.

"He is the one," she said.

"That's Detective Marzone," I said. "Don't look at him. It'll only upset you."

"No, I want to look at his face."

Almost as if he could feel Maria's stare, Marzone turned and stared back at her. The left side of his face cracked into a knowing, cold smile before he looked away.

There were no more tears from Maria Hernandez. She'd looked her husband's killer in the eyes. It was he who had broken that stare. How the hell could he look at her at all?

No sign of Jack or McAllister.

The court clerk announced the entrance of Judge Winter, and we all stood. Winter took his time to get to his seat, then sat down slowly, slipped a hand beneath his robes, and retrieved three pens from his shirt pocket. Only after he'd lined up the black, red, and green pens on the table beside his notebook did he say, "You may be seated."

Most of the crowd had already sat down as soon as the judge had. I noticed Boles, Vinnie, and their clients all stood with me and Maria until the judge's invitation to sit. These guys knew their judges. They knew that pandering to judicial idiosyncrasies could give you a head start on your opponents. Any lawyer or client who took their seat before Winter laid out his pens got a harsh stare from the judge and a rough ride during the trial. For a second, I looked at Vinnie and Boles, and in turn, they looked at each other and then at me. We knew, all of us, that we were playing a game here. Justice, or whatever the hell that meant, was a poker game. And as Winter

called for the jury, we sat silently awaiting the twelve good men and women who would decide the case, though they had no idea they were even in the game.

Chapter Twenty-One

Running a trial, even when it's going well, is a real roller-coaster ride. There are slow, dreary moments when you drag your sorry case uphill, only to have your opponent blow you away in cross-examination and that scream-inducing slide back down is so fast and hard your eyes feel like they're being sucked clean out of your head.

But there are ways of telling how you're doing, subtle hints. Over time I'd learned to ignore the judge and watch the jury; follow their eyes, watch what lines of questioning resonate with them, what bores them, what grabs their attention.

A jury is an audience, and they have to be worked just like any crowd.

I waited until Judge Winter had selected his black pen, opened his notebook, clicked the top of the pen to release the nib, and looked up at me. That was my cue. I stood, buttoned my jacket, and walked slowly toward the well of the court: the no-man's-land between the lawyers, the witness box, the judge, and the jury.

"You will all remember me from jury selection, but just for the record, my name is Eddie Flynn and I represent Maria Hernandez."

Pause. Let them look at her. Look at the swollen face, the red eyes, and the unborn child she carried to court.

"Maria's husband, Chilli Hernandez, was killed. You won't be asked to decide who killed Chilli Hernandez. We already know who killed him. It was this man," I said, pointing to Marzone. All eyes fell on the mountain next to Vinnie. Even the judge took a good look at the detective. In turn, Marzone looked at me without expression, only a mild shake of the head.

"Detective Fred Marzone put his arm around the deceased's throat, and he squeezed hard enough to rupture the vagal nerve and collapse the windpipe.

The cause of death is not disputed in this case, and you have in front of you the medical examiner's report, which confirms death occurred due to strangulation."

A pause. Letting them take this in, nice and slow, let them start forming questions in their mind—questions I was about to answer.

"Detective Marzone will tell you that he was defending himself, that he believed Chilli Hernandez would kill him. His partner, Detective Roark, will tell you the same thing. In fact, they will talk a lot about Chilli Hernandez. They will tell you that he was a violent ex-con. That's true. But what they won't tell you is that they acted in breach of the code that governs the behavior of police officers in our city. A code they are sworn to uphold."

Another pause to let the question build: What code? What breach?

"There is one important fact in this case that you must never let slip from your mind. NYPD officers are forbidden from choking a suspect or using any hold that may inhibit breathing. They *cannot* do this."

"The first defendant in this case, Detective Marzone, broke that code and killed Chilli Hernandez.

"The second defendant in this case is the city itself, the NYPD who employed Detective Marzone. They train and equip their officers for the street, and if one of them steps out of line, the NYPD are responsible. Members of the jury, this is not a complicated case. It's simple. The lawyers for Detective Marzone and the city will try to tell you differently. They will even tell you that this case is really about Chilli Hernandez—but remember, please, that Chilli Hernandez is not on trial here. He has not been convicted of any crime associated with the attempted arrest by Detective Marzone. He is innocent and will remain so."

Soft crying behind me—Maria.

"When I began this speech I asked what this case was all about. Really, when you get right down to it, it's about you. Every one of you. And me and everyone in this courtroom and everyone in this building and every single citizen of this fine city. We trust the NYPD to protect us. All of us. When one of their officers breaks the rules and kills one of us, we have to take a stand. We have an obligation to our fellow citizens to protect them. You will have an opportunity during this case to do just that. I hope you take it."

I turned and walked slowly back to my seat as the applause began in the gallery; then people stood and clapped. Judge Winter hollered at the crowd to be silent. But they ignored him and applauded until I sat down.

Vinnie had to stand for a full two minutes before order was finally restored by Winter threatening to clear the court.

In his shiny blue suit, Vinnie took up a position in the exact same spot as I had.

“Members of the jury, I won’t get any applause for what I’m about to tell you. And that is shameful. Because the man that I have the honor of representing is a loyal, dedicated servant of this city. Our case will show that Detective Fred Marzone fought for his life on the night of October tenth. He fought against the knife in the hand of Chilli Hernandez. Do you think it’s fair that he was allowed to fight back? To defend himself? There is only one answer to that question, and the evidence will prove it.”

Shorty, snappy—this was Vinnie’s style. He’d highlighted the major weakness in the case straight off. We had no witnesses to Chilli’s arrest. Nothing to contradict Marzone and Roark’s testimony. The only witness we had was Chilli’s corpse. The entire case stood or fell on my cross-examination of these guys. If I could shake their credibility, we had a chance. A small one. It all came down to my cross.

As Vinnie took his seat, he held out a hand to Alfred Boles, who stood, nodded and smiled, and decided to make this short opening statement from the defense table.

“Ladies and gentlemen of the jury, my name is Alfred Boles, and I represent the city of New York. In effect, I represent the New York City Police Department, and I’ve had the honor of doing so on many occasions. You’ve heard from Mr. Flynn and Mr. Federof, and right about now you’re probably thinking that there are two sides to every story. Well, I’m not here to make your job more difficult than it already is, but I’m here to tell you there is a third side to this story.”

A dry, mirthless laugh from Boles was not reciprocated by any of the jury. They’d already marked Boles as the corporate man, and he would have an uphill struggle.

“It may be that at the end of this case you believe Detective Marzone acted lawfully and in self-defense, so the plaintiff will lose their case. It’s possible you might decide Detective Marzone used excessive force. If that is the case, then we all know what that force was, don’t we? A choke hold.

Our Police Academy provides every officer with carefully planned control and restraint training courses. Detective Marzone was trained in that same academy—and he was trained to never, ever use a choke hold. Our case will establish this as a fact. If you accept that Detective Marzone unlawfully killed Chilli Hernandez, we ask you to accept the fact that the NYPD did everything in its power to make sure their officers did not behave in that manner. What more could the city do?”

A tap on my shoulder. Jack was behind me with a file under his arm. He slipped it in front of me, bowed to Judge Winter, and took the extra seat at the table.

I opened the file Jack had given me and smiled.

Chapter Twenty-Two

Maria gave her testimony with all the emotional depth and dignity I'd expected. She talked about how she and Chilli had first met; she was waitressing in her father's taco joint and fell in love with Chilli almost at first sight. The defendants were bound to bring up Chilli's violent past, so we did it first. Sure there were a number of convictions for assault, but crucially, none for resisting arrest or assault on a police officer. Each time Chilli got busted, he'd gone peacefully with the cops. That went in his favor.

The last questions were in relation to Chilli's time in prison and his exemplary behavior since release. He'd gotten his first job, lost it when the gang came and he refused to join up, and then got work on his own after that, washing cars.

"He told me he was through with that life, and I believed him," said Maria.

"And on the night of the murder of Mr. Genarro, where was your husband?"

"He was working in the car wash on the corner. He worked till it got dark, and then he came home."

"When he came home that night, was there anything unusual about his appearance or his manner?"

"No."

"Was there any blood on his clothes?"

"No."

"At any time, did you see your husband with a knife resembling the one allegedly recovered by Detective Marzone?"

"No. I never saw that knife before."

“How would you describe your husband in the days immediately before his death?”

Her face tore up. I stood in silence, with the rest of the courtroom, while Maria cried.

“He . . . aw . . . he talked about the baby. Constantly. Said it was going to be a boy; he had no doubt in his mind. All he talked about was ‘*mi chico*.’”

“Thank you,” I said, making my way to my seat.

Before I’d even sat down, the cross-examination from Vinnie was over.

“Mrs. Hernandez, were you present at Tupelo Street, at the scene of your husband’s arrest on October tenth of last year?”

“No.”

“Thank you. No further questions,” said Vinnie.

Devastating.

Simple and risky, but it served to create the impression for the jury that everything Maria had just said didn’t matter in the slightest. Roark and Marzone were the only people who’d been there. Vinnie was a crook and a slimeball, but damn, he knew how to work a jury.

“Mr. Boles?” said Judge Winter.

I thought Boles was just as surprised as everyone else at Vinnie’s one-question cross. Counsel for the city looked startled and more than a little perplexed. We’d both been awaiting a few hours of Vinnie attacking Maria on her husband’s record and putting it to her that the knife he attacked Marzone with had blood on it from Genarro. He did none of those things. Probably because he knew that it would make him look bad in front of the jury. But now Boles got his shot at cross-examination, and he would have to go into all of that. He would feel compelled to do it. And all the unfavorable bullying looks would fall on the city instead of the hero cop.

“Vinnie’s a genius,” said Jack.

“Let’s hope not,” I said.

After a few seconds of shuffling his papers and clearing his voice, Boles got into it with Maria. Her husband’s record for violence, the knife with the victim’s blood on it, the whole nine yards.

When he sat down an hour later, he got daggers from a few jurors, nods from a few others, but most of them didn’t react. This was bad news for us. Boles had scored some points and won some jurors. A repetitive squeak from a busted wheel drew the judge’s attention. In the center aisle, an object about six feet high, moving on castors, was being wheeled toward the

witness stand. Only the wheels were visible. The rest of the object was covered with a white sheet. It looked like something you'd find in the attic of an old farmhouse.

“What’s that?” asked Maria.

“That’s our next witness,” I said.

Chapter Twenty-Three

“Please state your name for the record,” I said.

“John Patrick,” said the man in the blue, button-down oxford shirt. He wore tan pants, polished brown shoes, and a tie that just had to be a Christmas gift from his mother-in-law: penguins playing golf on dull, green silk. He sat quite comfortably in the witness box, his hands relaxed and open on his thighs, his answers clear and concise. Most expert witnesses had the same poise, but none would’ve worn that tie.

“And what is your field of expertise, Mr. Patrick?”

“I was a police officer for twelve years, and following an injury on duty, I moved into police recruit training. For fifteen years I worked in the Police Academy in Gramercy Park. I was a senior officer and instructor within the academy’s Tactical Training Unit.”

“What is the Tactical Training Unit?” I said.

“A group of experienced, senior officers who provide a range of training modules. Mostly, we taught recruits how to handle themselves in a physical confrontation and how to affect a safe and clean arrest.”

“Has the training course itself changed much over the last twenty years?”

“Not at all. We’ve changed nothing, only added to it as new weapons come into the police arsenal.”

“Are there any rules, or codes of conduct, that govern a police officer in a physical confrontation?”

“Absolutely. The officer is trained to control and restrain the subject, only with the necessary force required. There are also written rules about what an officer cannot do in such a situation.”

“And what are these rules?”

“I believe you’ve referred to these in your opening statement. The NYPD Patrol Guide expressly forbids an officer from choking, or taking any action that may impede a subject’s breathing capabilities. Like sitting on the subject’s chest or putting their hands on the subject’s neck.”

“Mr. Patrick, have you read the statements from Detectives Roark and Marzone in relation to the death of Chilli Hernandez?”

“I have.”

“What is your expert view in relation to their conduct?”

“In my opinion, Detective Marzone breached the Patrol Guide.”

“Please explain your answer.”

“May I demonstrate, Your Honor?” said the witness, drawing an eye on the judge.

A simple nod from Winter and Patrick was on his feet, walking toward the sheet that covered his prop. He flung away the sheet to reveal a foam dummy beneath. Turning it so that the dummy faced the jury, Patrick took a moment to unbutton his shirtsleeves and roll them up. Before he made a move on the dummy, he addressed the jury.

“To put this in context, Detective Marzone states that he and his partner stopped the vehicle driven by the deceased. Detective Roark got out of the police vehicle first, and Detective Marzone hung back as cover. Roark approached the driver’s side and states that as he bent down to speak to the driver, the deceased flung open his door, striking Roark in the face. According to Detective Marzone, as Roark lay on the ground, the deceased exited the vehicle brandishing a knife and Detective Marzone feared that his partner was about to be stabbed. He states, and I quote, ‘To restrain the suspect and prevent him from carrying out a fatal attack on a fellow officer, I grabbed him from behind. I had a split second to take action. My right arm reached over the deceased’s right shoulder as I sought to take control of him by placing him in a headlock. He struggled, kicking his legs and trying to head-butt me. My arm slipped down. The suspect still had the knife in his hands. We wrestled like this for a few minutes, and then the suspect became limp.’ So, something like this, at first . . .” said Patrick.

From behind, his right arm slipped over the dummy’s right shoulder in an attempt to mirror Marzone’s description.

“Mr. Patrick, can I just stop you there. Detective Marzone says that he is trying to prevent an attack on his partner. What can he reasonably do, in this situation?”

“Well, he’s already going for the safest option, a headlock. The forearms are drawn across either side of the jaw, hands clasped.”

Arms across the face of the dummy, Patrick tilted the dummy’s head toward the ceiling.

“As the members of the jury can see, no pressure or contact is made with either the neck or throat of the suspect. The officer is in control.”

“Any other options?”

“The other option is the blood choke,” said Patrick. He dropped his arm a little further across the dummy’s chest, then angled his hand so that it gripped the shoulder.

“By exerting pressure during this hold, my biceps comes into contact with the carotid artery on the right side of the suspect’s neck. The suspect can breathe normally, but the pressure closes down that artery and cuts off blood flow to the brain. Within a minute the suspect will be rendered unconscious—safely and with no loss of air.”

“And what did Detective Marzone actually do?”

“From his statement, he did this,” said Patrick, and drew his arm tightly around the dummy’s throat. “A choke hold. This is banned by the NYPD, because it can kill. In this instance, it did exactly that.”

The jury couldn’t take their eyes off Patrick. This was what killed Chilli Hernandez. And even though it was a foam dummy, the violence of the grip was dramatic. This was how it had gone down.

At that moment I had one more question. Something Patrick and I had discussed. Patrick was waiting for me to ask him.

Jack looked at me like I was Babe Ruth, my bat ready to knock a home run off a sloppy pitch.

Before I made my decision, I took a second to appraise Vinnie. His feet were tapping under the table, arms folded, biting his lip. He was ready to get into the game, ready to blow our witness out of the water with his hero cop routine. I could smell it.

The only sound in the room came from my heels as I walked to my seat. It would be better to let this aspect of the case come out in Vinnie’s cross. I couldn’t wait to watch him run straight into a brick wall.

“Your witness,” I said.

Chapter Twenty-Four

“Mr. Patrick, Tactical Training is a vital survival skill for NYPD officers, right?”

“I’d say so. It saved my life more than once.”

“I’m glad to hear it. However, training is one thing. The real world is quite another,” said Vinnie, smiling and nodding to the jury.

“I wouldn’t disagree with that. No training environment is a substitute for the real thing.”

“Then we are in agreement. Now, you mentioned the Patrol Guide. I presume you are familiar with that code?”

“I am.”

“So you will know that the use of lethal force is a last resort, correct?”

“That is accurate. However, in this—”

“Thank you. It would’ve been remiss of Officer—”

This time it was me who had to interrupt. Vinnie’s attempt to cut Patrick’s answer short wouldn’t wash with me. “Objection, Your Honor. The witness had not finished his answer.”

A wave from the bench acknowledged, ruled upon, and found favor with my objection. “Mr. Federof, please allow the witness to complete his answer.”

There were two choices for Vinnie: Argue the point or let it go and then it seems like the answer didn’t matter. He let it go and rolled his eyes as Patrick said, “I was going to say that the use of lethal force is a last resort to preserve your own life or the lives of others, but I don’t believe that was the situation here.”

Cross-examination isn’t a war of words. It’s not a legal battle. It’s not about who shouts the hardest or loudest. Cross-examination is daylight

robbery; you go in hard and fast, grab what you need, and get the hell out. Nodding to himself, Vinnie saw that he was on dangerous ground with Patrick: He needed to gain control, hit Patrick one shot, and sit his ass down before the witness did any more damage.

“Detective Marzone will testify that he was in a life-or-death situation, struggling to control a known, violent offender armed with a knife, and his actions saved his own life and the life of his partner. You accept that was the situation?”

“No,” said Patrick.

I edged forward in my seat. Patrick’s style of testimony was often to give an answer and then expand on it. He didn’t give any further explanation for that answer. My fingers clasped together as I prayed that Vinnie would take the bait.

“With respect, Mr. Patrick, you cannot say that any part of Detective Marzone’s account of that night is anything other than one hundred percent accurate because you were not there, correct?”

“I wasn’t there, but that doesn’t matter. I know that your client is lying.”

My client’s trembling hand fell into mine. We held our breath together as we watched the anger rise in Vinnie and saw his mouth working before his brain had a chance to tell him to shut the hell up.

“Oh, you just *know*, do you?” said Vinnie.

There it was, a slow ball, perfect height, just enough speed for the bat to swing into the stands. Patrick leaned forward and looked at the jury as he said, “You don’t need to be an expert to know that Chilli Hernandez was unarmed when he was choked to death by Freddy Marzone.”

Chapter Twenty-Five

That was the question I'd left unspoken. And instead of coming from the plaintiff, it was the defense that brought it in front of the jury.

"Objection, Your Honor. This testimony was not given in direct examination," said Vinnie.

Judge Winter shrugged his shoulders and said, "And? It wasn't asked. You've opened that door, Mr. Federof . . ."

Shaking his head now, Vinnie swung back to the witness.

"That is a total fabrication. This is nothing more than a poor attempt to bolster the plaintiff's case and slander this officer," said Vinnie.

"If the 'officer' you are referring to is your client Detective Marzone, then I disagree. In his witness statement, your client maintains that the deceased still held the knife while he was struggling to slip out of the hold. This is nonsense. Your client had no recorded injuries. If a man is being strangled and he's got a knife in his hand, he will use it. It would've been the easiest thing in the world to put that knife in your client's arm and, presto, the choke hold disappears. Your client didn't have a scratch on him. So you are incorrect. I don't accept the deceased was armed when he was choked to death. If he had a knife, your client's legs and arms would've looked like Swiss cheese."

"But you were not there," said Vinnie.

"I was not there."

"Mr. Patrick, you've given evidence in around fifty cases in the last five years, correct?"

A switch. Vinnie was pulling the parachute on Patrick, and he wanted to get out fast with a good point in his client's favor.

"That would be about right," said Patrick.

“In all of those fifty cases you gave evidence against the NYPD?”

Shit. Vinnie was going for witness bias.

“That’s right.”

“What do you have against the NYPD?”

“Nothing. I gave my best years to serve this city.”

“Your pension was cut around six years ago. That right?”

Damn, I hadn’t seen this coming. Patrick shifted in his seat, adjusted his awful tie.

“Yes.”

“Was that a result of a historical allegation of sexual harassment being proven against you?”

“The inquiry upheld the allegation. I don’t accept their finding. The complaint didn’t arise until ten years after the event. Witnesses in my defense had passed away. Some were—”

“So just to clarify, your pension was cut by the NYPD because you were found to have sexually harassed a fellow officer? Yes or no?”

“Again, the allegation was totally—”

“Yes or no?”

“Yes.”

“And as a retired officer, now with a reduced pension, it’s just a coincidence that you decided to supplement your income by giving evidence *against* the NYPD as an expert witness?”

“Pure coincidence.”

“Nothing further,” said Vinnie.

Not a bad rescue job. But the damage had been done. As Vinnie sat down beside his client, I saw the entire defense table rise up as Marzone’s knees brushed against it when he began to quietly rip into this counsel. Neither Vinnie nor Marzone looked happy.

Boles asked no questions of Mr. Patrick. If he could make Marzone the bad guy, this only helped him. Without Vinnie or Boles landing any real blows on Patrick, there was no need to ask anything on redirect, and Judge Winter released him from the box.

We all knew what was coming next. In any other case like this, in front of any other judge, we would call our next round of expert witnesses, who spoke to the issue of damages. In the last three months, Jack and I had spent around thirty grand on forensic accountants’ reports detailing Chilli’s estimated earnings for what would’ve been the rest of his life. This kind of

speculation was a fine art, and if you chose the right accountant, you could double or even triple the amount of damages your client could legitimately claim.

Any other court, any other case, any other judge. But not Winter.

He hated accountants, didn't understand the actuarial calculations, and stated openly that juries didn't either. So he offered the attorneys a choice: Either agree on an amount of damages that the jury should award if the plaintiff wins, or simply let the jury read the damn reports in their own time.

"Any further liability witnesses, Mr. Flynn?" asked Judge Winter.

"None at this time, but I reserve the right to call further witnesses in rebuttal," I said.

"Noted. I've already made counselors aware of my approach to damages. We'll proceed with the remainder of the testimony. Mr. Federof, we'll begin your case after the lunch adjournment. Who is your first witness?"

"Detective Marzone."

We packed up our files and greeted Maria's sister, who'd come to court to support her. They went off together for an appointment at the maternity unit. In the hall outside the courtroom, I saw McAllister leaning against a pale marble pillar. She hadn't changed her clothes, still had that lithe, casual pose. She saw me and tugged her sunglasses over her nose. Her eyes said it all.

Whatever Frost had on Marzone, McAllister had found it. Before I got to her, I felt a strong hand on my arm. It was a big hand. A hand the same size as a stop sign. In the exact same moment that I felt the grip, McAllister slipped behind the pillar before Marzone saw her.

A voice that sounded like it came from inside a barrel said, "A friend of mine will be in court this afternoon. He wants to make sure I don't get nervous. When people are nervous, all kinds of accidents can happen."

Releasing his grip on my arm, Marzone lumbered away to join his counsel.

"What did he say?" said Jack.

"He said he's got a friend coming this afternoon to watch the trial."

Any blood in Jack's face flooded down to his feet. His skin looked the same color as the marble hall. Without acknowledging McAllister, Jack and I made for the elevators. Just as the doors began to close, McAllister ducked inside.

Only then did I see she'd brought a backpack. A man's backpack.

Chapter Twenty-Six

The screen on the digital camera was no bigger than my business card. I couldn't tell if it was excitement or fear that made my hands shake so much.

"I can't see it. Put it down on the desk," said Jack.

We took our seats and placed the camera on the worn desk of the consulting room. Frost's files held nothing, and McAllister had almost given up until she checked an old backpack that she'd found in his desk drawer. Underneath a pile of stinking sweatpants and T-shirts, she'd found the camera. It wasn't departmental issue—far too expensive. As far as McAllister knew, Frost had no interest in photography as a hobby. The camera looked to be worth several thousand dollars, and instantly she knew this was what Frost was hiding. In plain sight.

She told Jack and me that she'd found a few memory cards in the inside pocket of the bag. They contained some vanilla pictures of various members of the Morgue Squad, but two of them held video. This was what Frost had hinted at on the ferry.

The screen came to life as the video finished loading and started playing.

"I don't want to watch it again," said McAllister, taking a seat on the other side of the desk.

At first all I could see was a gray blur accompanied by the sound of a drum. Then the blurring slowed, along with the beat, which I figured didn't come from a drum but from feet moving fast along a sidewalk. As the beat stopped, the angle tilted upward beyond the pavement to display two cars parked along the side of the street maybe a couple hundred feet ahead. The headlights of the Crown Vic burned into the trunk of an old, red Pontiac. The camera swam and focused on the license plate of the unmarked cop car, then the Pontiac. I knew that plate—it belonged to Chilli Hernandez.

“Frost was following Marzone on his own dime?” I said.

She nodded and said, “I think he discovered the chalk mark at Ed Genarro’s murder scene and knew that it was only a matter of time before Marzone found somebody to pin it on. There are hours of footage on those memory cards. His persistence paid off when he got this footage.”

Hard breathing from the camera operator; Frost had been in his early sixties after all. The view dropped a little as Frost made some kind of adjustment. He set the camera down on something flat.

“He’s shooting this from behind a Dumpster,” I said.

McAllister nodded in agreement.

The lens refocused as the driver of the Crown Vic killed the lights, Marzone got out of the passenger seat of the car and joined his driver on the sidewalk. Normal police procedure for a stop dictated that they kept their lights on—to dazzle any potential shooters. Roark came into focus then, his face clear beneath a streetlight. It didn’t matter that Marzone had his back to the camera. There probably wasn’t a single other cop in the whole of the country who could match Marzone for sheer size. They talked for a few seconds before they approached the Pontiac.

Roark led the way and bent low to speak to the driver. He stood back as the door opened and Chilli stepped out, willingly, with his hands in the air.

“Roark didn’t get hit in the face with the driver’s door,” said Jack.

I nodded, unable to take my eyes from the screen.

Dressed in blue jeans and white vest, Chilli held his hands high and wide—empty. No knife.

Roark closed the door of the Pontiac and motioned to Chilli to turn around and assume the position. Without complaint, Chilli slowly turned and spread his hands on the roof of the car.

The audio was there, but much too faint to make out. While he searched Chilli, Roark was talking to him. Marzone moved close and took a clear plastic bag from his jacket. He placed the bag in the back pocket of Chilli’s jeans. Then the bag came away. Something shiny and black remained in Chilli’s pocket. At the same moment Marzone whipped the bag away, Roark drew his gun and held it by his side.

“They were going to plant the knife and then shoot him,” said Jack.

Stepping closer to Chilli, Roark turned to Marzone for half a second. Chilli’s hands moved so fast I had to stop the video and rewind it. He must’ve felt the plant, and his right hand swept down and up, tossing the

object away from him. It bounced on the sidewalk, and as it came to a stop, I could see it more clearly. The blade shined under a streetlamp.

This didn't go down well with Roark. He spun Chilli around and pointed at the knife. Even though the audio was terrible, I could just make out Roark's instructions.

"Pick it up."

No one moved.

Marzone lumbered toward the fallen weapon and kicked it toward Chilli's feet. Again, the instruction from Roark. I tried to imagine what Chilli was feeling. He knew if he picked up the knife, he was a dead man. There were no other cars on the street, no people, not even a light on in a nearby row of houses.

Maria had been right about Chilli. She told me he was street smart. I saw then on the screen, Chilli did the only possible thing that could've saved him. He screamed for help.

Roark moved toward Chilli instantly, his left hand drawn back to punch Chilli in the face. This time Chilli moved, fast. He stepped toward Roark at the last second and landed a head-butt. The gun fell from Roark's hand and Chilli shook his head, staggered. Roark dropped, holding his shattered nose and trying to stem the flood. Chilli tried to run, fell forward. You don't deliver a head-butt like that without feeling it yourself.

That's when Marzone grabbed him from behind, lifted Chilli clean off his feet. He kicked at Marzone's ankles and pulled at his arm. It looked like being caught in some kind of terrible piece of machinery that would not let go until you were crushed. Marzone didn't move. His legs were still. The kicking got fierce, then slowed. For a second Marzone's arm slipped down just a fraction, before sweeping up again, in a tighter grip.

That second of release allowed Chilli a little air. And one single, raw cry.

"I can't breathe."

The grip tightened and held firm. A hollow feeling in my chest grew into a dull ache. I wanted to close my eyes, or look away, and never have to watch this again. I could feel the plastic pen in my hand cracking. But I watched every agonizing second, because I owed it to Chilli Hernandez.

The fight slowly went out of him. After all movement had left Chilli's body, Marzone let go.

A dead man fell to the sidewalk.

The camera tumbled and bounced. A fleeting glance of Frost's face came on the screen as he bent down to pick it up. When the view returned to Marzone, he was staring straight at the lens.

Frost panicked. Ducked behind the blue Dumpster, then ran into the dark.

"He got away in the alley next to the 7-Eleven," I said.

The image died, replaced with a blue screen that read, *Repeat? Clear? Share?*

Only when the video ended did I become aware of the room again. The consultation booth was small, dirty, and soundproof. A quiet space for lawyers to talk to their clients.

"Dear God . . ." was all Jack could manage.

McAllister was staring at me. Watching me think through the possibilities.

"Frost had no probable cause to follow Marzone. Add to that, he's not officially on duty, and worst of all, he simply sat on this video, didn't show it to anyone. That's a big problem."

"Why didn't he arrest Marzone and Roark?" said Jack. "The guy lied—he had more than enough to put Marzone away for murder."

"No, he didn't," I said. "Don't you remember anything from law school? Article 700 of the Criminal Code—you need a warrant for video surveillance. This evidence is inadmissible in a criminal trial. If Frost had a warrant, the memory card would be in a sealed bag in the evidence locker, not stuffed in the bottom of a stinking gym bag. Frost knew he couldn't use it in court, and so did Marzone. You saw the end of the video. Marzone clocked Frost. That's why Marzone took him out on the ferry and not me. Marzone knew I didn't have anything on him, but Frost did. He didn't want to take the chance, so he took out the guy who posed the greatest threat."

As I spoke, I looked at McAllister. I could tell she'd thought of more angles. And the two main reasons why Frost didn't use the footage.

"Frost wanted the whole squad, didn't he? The hit man, the cops, everybody. Nothing tied the video to the hit man. He figured he'd get himself a new target—me. He knew Marzone would kill to protect himself, and he wanted to catch him trying to put a bullet through my head. And then there's the big reason why Frost sat on this, isn't there?"

"Yeah," said McAllister.

I didn't need to say any more. She looked pleased that I'd thought of it.

“Whatever goddamn reason he had for not arresting Marzone with this video doesn’t matter, does it?” said Jack. “Now we’ve got it. We get Vinnie to pay us real money to lose the video. This isn’t a criminal court. We could use it in a civil trial.”

“Not now, we can’t,” I said.

“What?” said Jack and McAllister together.

“There’s no testimony from Frost. Without his testimony as to the authenticity of the video, it could never be admitted as evidence. Thanks to Marzone’s hit man, the video died with Frost. But there’s something else we can do; we can show it to Boles,” I said.

Standing and running his fingers over his arms, Jack said, “Wait, we can’t show this to Boles. This proves Marzone intentionally murdered Chilli. He was not acting as a cop. He’s just a killer. The city walks away with their money if we use this. It proves their defense and kills our entire case.”

“Sure it does, but it gives us a whole new case. One that we can’t lose.”

“What about Marzone?” said Jack.

McAllister stretched her neck, focused on me, and said, “We lean on Vinnie. Roark, too. Separate them from Marzone. Just like we planned. How much do you think Vinnie knows?”

“An operation like this is like a boys’ choir—everyone’s got to sing off the same hymn sheet. The hit man will need to be close to Marzone’s defense. Vinnie mentioned a friend who had an interest in this case. I wouldn’t be surprised if the hit man insisted that Marzone used Vinnie—so he can keep an eye on things. I doubt if Vinnie knows the whole truth of it, but he’s smart—he’ll know there’s something rotten going on. They wouldn’t tell Vinnie about the operation, but I’m sure he’s put most of it together. In fact, I’m counting on it.”

Chapter Twenty-Seven

We'd spent most of the lunch hour in the consultation room. Fifteen minutes before we were due back in court, we packed up and made for the elevator.

As the doors opened on our floor, I saw Maria standing beside her sister, with their backs to the wall outside the courtroom. A man had his back to me, and he was talking to Maria. I'd never seen this guy before, but that didn't mean much. A lot of people were watching this case, and I'd expected Maria to get caught by at least one reporter before the trial was over. She'd been well briefed; "no comment" was the stock answer to all media. Only thing was, the guy talking to Maria didn't look like a reporter.

He wore a checkered suit.

Maria nodded politely at this man. It was plain that she was uncomfortable in his presence. The closer I got, the more I thought Maria was beyond uncomfortable—she was scared and trying to hide it.

"Hi," I said, standing beside Maria, her sister, and the man in the checkered suit.

At first I thought he hadn't heard me. He was still staring at Maria and smiling. The smile didn't even look human. I could smell cigarette smoke coming off him, and something else. It was a smell I hadn't encountered before—the way I imagined a lethal, decaying chemical would smell.

He looked at me finally. The same dead expression. The muscles of his face had pulled his lips into a grin, but you got the impression that a dark, malevolent creature was controlling his body in a poor attempt to hide the true nature of what lay underneath.

His attention turned back to Maria.

“I just wanted to wish you well. Your husband’s death was a terrible tragedy. Bless you. Bless both of you,” he said, his voice high and cracked.

Then, before any of us could react, his hand moved toward Maria’s belly. A thick, nicotine-stained thumbnail touched the top of her stomach. The nail was sharp and pointed. He drew the nail down, sending a ripple over the fabric of her dress, all the way over her stomach. Then he drew it horizontally across her midriff, completing the sign of the cross.

We were too stunned to move. Maria’s mouth lay open, her hands raised. We were simply stunned by the gesture. The sheer destruction of her personal space. It was more than overfamiliarity—there was a horrible intimacy to that touch, a foul violation.

“Bless this child. I hope it lives longer than its father,” said the man as he turned and walked away.

I saw him take a lighter from his pocket, and the cap flicked open and closed as the Zippo rolled around his fingers.

Click, click.

I held Maria and tried to calm her. Looking behind me, I saw that Jack and McAllister had watched the whole thing from a distance. They’d seen the man draw the sign of the cross on the baby. They knew what it meant—the terror of its true meaning.

This was the hit man.

He was coming after Maria and the baby.

Chapter Twenty-Eight

It took less than twenty minutes for Vinnie to complete his direct examination of Marzone. They'd gone through the whole story in enough detail to sound convincing. Genarro's murder, the confidential tip about Chilli waving a knife and boasting about offing some union guy, tracking down Chilli, Roark getting the door in the face, and Marzone saving his partner by grabbing Chilli before he had time to use the knife.

The last five minutes of testimony was devoted to Chilli's record. Vinnie sat down with a list of Chilli's convictions for violence ringing in the jury's ears.

And Marzone's lie that Chilli had held a knife and attacked them.

And listening to all of this, Mr. Zippo. The man in the checkered suit. The hit man for Marzone's Morgue Squad. The man who liked to draw crosses with his fingers, with chalk, and with the scope of a rifle as it leveled at Frost's head.

Click, click.

I wanted to rip into Marzone—destroy him. I wanted the jury to see that video, to see Marzone's arms and how free they were from knife wounds. His story didn't add up. I could make it a hell of a lot shakier.

No questions. That was the order.

The idea that I'd had in the consultation room took on a new dimension. Suddenly I could see a way out for Maria, for me, for Jack—and a way to take down the whole damn crew.

"Your Honor, may I have a moment to confer with Mr. Federof? It should take only a few minutes."

As much as he hated accountants, Judge Winter hated wasting time more. But he could smell something here. He knew if I was talking to Vinnie,

there was a chance of a settlement. If the case settled, he would have a clear schedule for a week. I could see his graying eyebrows weighing the possibilities.

I could tell that the judge didn't much like Vinnie and the smug look he wore on his face. Vinnie probably thought I was coming back to him to take the five grand. Vinnie was in for a surprise.

"Ten minutes, maximum," said Winter as he rose and headed out of the court.

"Let's find somewhere private, Vinnie. And bring your friend with the Zippo. This concerns him, too. Trust me, you need to hear this."

The consultation booth on the tenth floor was even smaller than the one we'd used to view the footage. But family court had finished for the day, so I knew the entire floor would be empty. I went into the room first, followed by Vinnie and the hit man, who was still playing around with his lighter.

"Vinnie, wait outside for a second, will you?" I said.

"Anything you got to say, you can say it in front of me," said Vinnie.

The killer was intrigued; his lips turned up at one side. I held my eyes on his face and prayed he couldn't tell that I was scared shitless of him. I could put on a good front when I needed to, and that moment required me to be cooler than Steve goddamn McQueen. I sat down across the table, leaned back in the chair, and nonchalantly flicked a hand at Vinnie, gesturing for him to leave. If I had a rubber ball, I would've bounced it off the wall.

"It's okay, Vinnie," said the man. Vinnie didn't question this guy; he almost fell over, he left so quickly.

The door to the consultation room closed. I could smell cigarettes and just a hint of that other, foul odor.

"What do you want?" he said.

"I want to forget," I said.

"Forget what?"

"In a word, *you*. I want to forget that you even exist. I can do that. I've done it before. Jack forgets things real easy. He's already forgotten you. But I need some reassurance that you'll forget about Maria and me and Jack."

His eyes looked wet, and the veins in his neck got a little darker as he leaned across the table and said, "Your client, you, and your partner would be difficult to forget. You've been on my mind for a while now. In fact, ever since you took that ferry ride, I've been thinking about you all constantly."

“I think you’ve made a mistake. It’s not us you need to worry about. It’s Marzone.”

“Freddy has a terrible memory. I’m not concerned about him.”

“You should be. I’m sure he’s been reliable in the past, but he got sloppy with Chilli Hernandez. I saw the video.”

“I was afraid you might say that. This news makes quite an impression. One I will always remember.”

“I forgot to mention that I’m giving you something in return for your memory loss.”

“And what is that?”

“I’m going to give you the only copy of the video, for a start. But first I’m going to show it to the city’s lawyer. You won’t mind that. He’s old, and he forgets real easy. Besides, there’s nothing in that video that ties you to Marzone. My memory isn’t that good. I’m convinced I won’t remember anything about you when Boles and I have that conversation. The big question is, when Marzone goes down, do you think he’ll keep his mouth shut about you? Come on. He’ll be the first one to make a deal; give you up in exchange for ten years at a minimum-security prison. Apart from the video, I’ve got one more gift.”

He seemed to relax, and the tense bubble of air around him dissipated. His shoulders fell, and his head came up.

“And what is this gift?”

“Time.”

“Time? For what?”

“That’s up to you. Vinnie is going to let me adjourn Marzone’s testimony and take a new witness out of sequence—the deputy chief commissioner. Ten minutes in the box and I can rattle him enough into making a deal. I won’t mention you, what Marzone was really up to—nothing. Like I said, you’ll slip my mind completely. But Marzone is done for. I’ve also got this,” I said, handing him over a copy of the traffic camera photo: Roark’s face, lit up behind mine as he choked me.

“It’s coming apart at the seams. With the media attention this case is getting, the NYPD will be under severe pressure to get rid of Marzone. Even if they don’t fire him, he won’t be able to take a leak without Internal Affairs watching him. It’s no longer a question of *if* Marzone goes down; it’s *when*. I’m giving you my memory and a head start. That’s the best deal you’ll make all day.”

“How much of a head start?”

“I’m guessing that Marzone and his boys will hang around for a while to watch me question the deputy commissioner. An hour? Maybe more.”

At first he said nothing. He didn’t move. Didn’t even appear to breathe. Just a dead stare from those black eyes.

“Call it an hour and a half and you’ve got a deal. How do I get the video?”

“When I’ve shown it to Boles, I’ll hand it over to Vinnie. Fair enough?”

Suddenly he clapped his hands together, and the slap echoed around the small room. I couldn’t stop myself from flinching.

Startling me brought a smile to his lips.

“How’s your memory?” I asked.

“Becoming shakier by the minute,” he said, before rising and leaving the room without another word. I heard Vinnie in the hallway, asking what the hell that was all about. The muffled reply was lost to me.

A hand stopped the door from closing, and Vinnie came in, looking confused and angry.

“What are you doing?” he said.

From my jacket pocket I removed a photograph of Vinnie, taken that morning in Harry Lam’s restaurant, handing a brown package to an Asian guy at a table.

Funny, the paler Vinnie became, even with the tan, the brighter his suit seemed to become.

“You set me up.”

“I did. The man you gave that money to is a friend of Jiang’s. Jiang asked him to collect a package for him this morning at his restaurant. The restaurant is owned by the man who took the package – Harry Lam, and he’s about to get married to a nice lady named Ann Fulton.”

“Fulton? That name sounds familiar.”

“It should. She’s juror number seven.”

The only thing holding Vinnie upright seemed to be the ocean-blue suit and starched shirt. It looked as if somebody had pulled the cork out of him and he was deflating right in front of me.

“With your reputation for jury interference, this photograph ends your career and puts you behind bars. You and Marzone will make excellent cell mates. What’s the going rate for perverting the course of justice and jury tampering—ten, twelve years? I wasn’t at the restaurant, and because you

insisted on me dumping, there's no evidence of any settlement negotiations. We've got you, on film, giving five grand to a juror's fiancé for no good reason other than to buy her verdict. This is the end of the line, Vinnie. Unless . . ."

It was like somebody plugged Vinnie's suit back into the mains. He sprang to life.

"Yes? Unless what?"

"Unless you do exactly what I ask of you in the next hour."

"What do you want?"

"Very little. I don't want to cross-examine Marzone just yet. I want to have a crack at Alfred's client. After I cross-examine his witness and Boles and I have had a talk, I'm going to give you a memory card, which you will hand over to your friend. He's expecting it. Relax. This is about covering you and your friend."

"Is that all?"

"That's enough," I said.

As Vinnie turned to leave, I said, "Oh, sorry. There is one more thing. I want my clients back. All of them. You can keep that photograph, by the way. I've got copies."

Chapter Twenty-Nine

Even twenty minutes after our conversation, Vinnie had not yet recovered. He was a guy who liked to have it all planned out. Now he didn't know where this was going and how it would affect him. He didn't have control. For a guy like Vinnie, that must've been killing him. Nevertheless, he'd come through. All the lawyers were in agreement that I needed more time to prepare against Marzone, that some new evidence might be coming to light, and that for the sake of the parties and moving the trial forward, it would be better to start the city's case. Judge Winter was initially against the idea. He didn't like taking witnesses out of sequence. A strong hint from Vinnie that the case might just settle if he allowed us to proceed clinched it for the judge.

Boles called Deputy Chief Commissioner Johnson to the stand. Boles knew I would likely attack the police on the race argument, pouring statistics of racial profiling in stop and searches all over their case like molasses. That shit sticks. So instead of the police commissioner, Boles had called the deputy commissioner as his star witness—chiefly because Deputy Commissioner Johnson was young, smart, and black.

The NYPD's lawyers knew how to defend race allegations in front of a jury. They'd been doing it for years.

For a half hour, Boles questioned Johnson on police tactics and training, about the Patrol Guide, and even about refresher training for officers. As Johnson delivered the answers, I looked at the jury. He was a convincing witness. Even I started to believe the NYPD does everything it can to stop its officers using choke holds. They banned it, they inform officers verbally and in writing not to do it, and they train them not to do it. If any officer

breached that rule, well, that was all on the officer, as the department had done everything possible to avoid that.

“After the unfortunate death of Mr. Hernandez, what action, if any, did the police department take in response to the incident?” said Boles.

Johnson spoke with an educated, erudite tone. But not in the practiced way of a politician. He had at least retained a normal speech pattern, so that it actually sounded like he meant what he said.

“Your Honor, in the wake of this incident, the police department undertook a full investigation, and a reminder bulletin was sent to every single officer, to reinforce their training, that choke holds should not be used under any circumstances. We do everything we can to prevent this type of incident. Unfortunately, we can’t be with every officer every minute of the day. We expect them to adhere to their orders.”

“Nothing further,” said Boles.

Some of the jury looked at each other and nodded. They were taking Johnson’s word. Boles saw it and immediately made a note. I was sure Boles thought he had it in the bag.

I suddenly became aware that this wasn’t exactly necessary. I could probably squeeze Boles for a million by dangling the video in front of him. That was the figure I was aiming for. This cross-examination was for Chilli, Maria, and the baby. They deserved it. Somebody had to ask these questions; it might as well be me.

“Deputy Commissioner Johnson, the jury heard you refer to the NYPD Patrol Guide. You said it’s a set of rules for all New York City police officers and that it bans choke holds, correct?”

“That is correct, Mr. Flynn.”

“I’m just going to read an excerpt from the guide. At section 203-11, about halfway down the page it reads, ‘Members of the New York City Police Department will NOT use choke holds. A choke hold shall include, but is not limited to, any pressure to the throat or windpipe that may prevent or hinder breathing or reduce intake of air.’ Is that correct?”

“That is correct.”

“Am I right in saying that there is no caveat to this rule? For example, it doesn’t say ‘You will not use choke holds unless your life is in danger.’ It doesn’t say that, does it?”

“No, it does not.”

“Under section 203-12, which deals with the use of deadly force, the Patrol Guide states that officers shall not fire a weapon at a fleeing felon if that person bears no imminent threat of causing death or serious harm to anyone else present, correct?”

“Yes.”

“So what would happen if one of your officers shot and killed an unarmed man who was fleeing the scene of a car accident?”

“They would be arrested, and a criminal investigation would commence. Within the department, they would be disciplined,” said Johnson.

“You mean kicked off the force?”

I thought Johnson caught a glimpse of the path I was leading him down and was beginning to struggle against the tide.

“That is one possible outcome. All of the circumstances would have to be taken into account before a decision was made.”

“Oh, so you can shoot an unarmed man, in breach of the Patrol Guide, and not get kicked off the force? Is that your testimony to this jury?”

“No, that’s not my testimony. All I’m saying is that the decision would need to be taken after examining all of the facts and circumstances.”

Despite all of his good work previously with Boles, Johnson was now beginning to sound like a politician—guarded and cautious answers without properly addressing the question at all.

“I’m afraid I don’t understand. The question is simple. If one of your officers breaks the rules and shoots a civilian, they don’t get punished or fired?”

“Again, everything—”

“I think you have your answer, Counselor,” said Judge Winter.

I had some ammunition from that exchange, but not as much as I would’ve liked.

“So if an officer breaches the Patrol Guide by strangling a member of the public until they are dead, surely that officer should be kicked off the force?”

“We take everything on a case-by-case basis.”

“We’re not talking about this case, or any other. I’m asking you plainly and simply, if an NYPD officer breaches the guide and chokes a suspect, should they lose their job?”

The jury looked tired of this song and dance. They wanted a straight answer. Johnson was smart enough to see this himself, so he gave one.

“In my opinion, yes. If an officer breaches the Patrol Guide and chokes a civilian, then they should lose their job.”

There are moments when the best thing you can do in court, as a lawyer, is to shut the hell up. Judge Winter put down his black pen, took up his red one, and wrote down Johnson’s answer. The pause became loud, and Johnson shifted in his seat, adjusted his jacket, and folded his fingers together.

“Deputy Commissioner, you receive regular figures in relation to complaints against officers from the Civilian Complaints Review Board, right?”

“Yes.”

“In the last five years, there have been more than a thousand choke hold complaints made to the Review Board. Is that correct?”

“I don’t have the exact figures, but it sounds about right.”

“The Review Board investigates those complaints, and they can decide to uphold or dismiss the complaint?”

“That is their role.”

“How many complaints has the board upheld in the last five years?”

“I don’t know for sure. Not many.”

“That’s correct. Ten complaints were found to be proven against the officers involved. Tell me, do you believe that the other eleven hundred or so complaints were false?”

“Objection,” said Boles. “This officer does not investigate those complaints. How would he know?”

“Your Honor, you don’t have to investigate a sewer to know that it stinks,” I said.

“Mr. Flynn makes a crude but important point. Mr. Boles, I have not come across these statistics before, and they may be relevant to your defense. I’m going to allow Mr. Flynn to continue.”

“Obliged, Your Honor. The question was, do you believe the other eleven hundred or so complaints were false?”

A roll of the eyes from the deputy commissioner. He hadn’t seen the train coming yet. In fact, he didn’t even realize he was strapping himself to the rails.

“No, but I’m sure that some were false. Probably a lot of those complaints didn’t have any independent evidence to back them up, so it would’ve been

the officer's word against the suspect's. In that situation, the complainant would have failed to prove their case."

"So you accept that in reality, the use of choke holds by New York City police officers is probably a lot higher than ten cases in five years?"

"It may well be."

"Of those ten cases where the board found that the officer did place a civilian in a banned choke hold, how many of those officers lost their jobs?"

"I didn't make any of those disciplinary decisions. All such matters are handled by the chief commissioner—"

"I didn't ask you if you made the decision. I know that you didn't. But I am also aware that you have knowledge of each of those cases as deputy commissioner. It's a lot easier if you just answer the question and stop avoiding it. How many officers who breached the Patrol Guide, went against their training and choked civilians in New York City, lost their jobs? How many?"

The jury seemed to lean forward. Winter had lifted his red pen, ready to make a note that he would remember. Boles slid down into his seat and bowed his head.

Deputy Commissioner Johnson stared into space and said, "None."

I put on a confused expression and flicked back a few pages in my notes. I leaned over and pretended to ask Jack to look at his notes of the testimony. Jack flipped over two pages of nervously scrawled doodles, and I pretended to read the testimony from Jack's notes.

This was all a game. I knew the inconsistency. I'd worked hard to get it. It was all about delay—let the jury catch up; don't ask anything else until every single juror was thinking the same thing.

"Correct me if I'm wrong, Deputy Commissioner, but didn't you just testify that if one of your officers chokes a civilian, they should lose their job?"

Before I got halfway through that question, I could already see a number of jurors nodding in agreement.

"Each case has to be examined on its own merits by the commissioner."

Another pause; the jury became agitated crossing their arms, shaking their heads.

"The jury heard your earlier answer, even if you won't repeat it now."

"Objection. Counsel is making a statement," said Boles.

"I withdraw that," I said. Time to wind it up. The train was coming.

“Am I correct in stating that some of those officers who were disciplined for choking simply had to go through a period of retraining, some suffered no sanctions whatsoever, and other officers suffered a loss of benefits?”

“Yes.”

“Of those ten proven complaints of choking, the highest sanction, in relation to removal of benefits, was loss of three days’ vacation time?”

Johnson looked at the ceiling, crossed his legs, and said, “Yes.”

“In relation to those ten complaints, what was the recommendation from the Review Board in relation to sanctions for those officers?”

“They recommended the highest form of sanction, which includes dismissal.”

“And of those ten recommendations, how many were followed by the NYPD?”

“None.”

“Were any reasons given by the commissioner for departing from the Review Board’s recommendations?”

“Not that I recall.”

“The complaint filed by Maria Hernandez against Detective Marzone has not yet been decided by the board, is that right?”

“Correct.”

“And if the board finds that the complaint is valid and they recommend disciplinary action against Detective Marzone, how many days’ vacation does he stand to lose?”

An arc of light danced around the side of Johnson’s head as he pumped his jaw muscle, grinding his teeth, making sure he didn’t open his mouth before his anger subsided. New York juries have a profound sense of injustice. They know when something isn’t right. When the people in power begin to abuse their privilege, most decent people can spot it a mile away. New Yorkers could smell it, taste it, feel it, drink it all in, and then spit out a goddamn fireball of retribution the size of Liberty Island. The people of this city knew what it was to suffer—and they do not tolerate those who cause it. One juror pulled at his tie, popped his top button open, and looked as though he might leap over the jury stand and knock Johnson out cold. Two female jurors in the front row held hands and choked down their tears. Their glistening eyes flitted from Maria to Johnson.

The train was coming in.

I saw Johnson's eyes widen. He was a smart man. And there was only one answer to my question—throw it back in my face.

"I take exception to that question, Mr. Flynn. You cannot compare minor disciplinary action for a breach of a rule to the death of a citizen. We take the unfortunate death of Mr. Hernandez very seriously, even if you don't."

In my mind, the train rolled over Johnson and he didn't even notice.

"Thank you, Deputy Commissioner. The jury will remember that answer. The NYPD takes choke holds seriously only when someone dies."

Boles rose in his seat as Johnson's face plummeted, and their voices canceled out each other in a cacophony of noise that sprang from them, then the crowd. The judge hollered for quiet. I had one last question.

"Detective Marzone has admitted to choking Chilli Hernandez. He died in Marzone's grip. Detective Marzone has not been fired, has he?"

"No."

Slowly I walked back to the plaintiff's table and sat beside Maria. Her hair was straight, and she sat up naturally, no death grip on the table, no quivering lips or tear streaks. She looked stronger than anyone I'd ever met.

"Did they tell you?" I asked.

Her face shined as she spoke.

"Yes. It's a boy. I wanted to know today. He's doing great. I'm gonna call him Chilli."

Chapter Thirty

It had taken Boles a full half hour to calm the deputy commissioner and another half hour on the phone to the commissioner himself. He sat in the consultation booth like a man who'd just had his balls slapped.

"Eddie, you made a few good points. You know that. The city can see you made progress. But you haven't even begun to establish any liability on Marzone. If the jury believes him, you're done for. They can't give your client damages unless you prove Marzone acted unlawfully. The point about the knife is interesting. Why didn't Marzone get stuck with the knife he says Hernandez was holding? I don't know. But you've got no evidence to challenge him. Only Roark and Marzone can tell the tale; no one else was there apart from Hernandez, and he's not here to testify, unfortunately. But look, we see your client is in distress. We can do half a mil. That's it. No negotiation. That's my first and final offer. Take it to your client and get back to me."

To make it absolutely clear there was no negotiating, Boles closed his files and stood, held out a hand to usher me from the room to go speak to my client.

I didn't move.

"You gonna speak to your client? Half a million dollars is a lot of money."

"No, it isn't. Not for this," I said. I reached under my chair for the gym bag, placed it on the table, and removed the camera.

It was only Boles and me in the room. He didn't react much to the video. A couple of times he swept his finger across his top lip, but that was about all. When the film finished, he handed me back the camera.

“The half a million offer is off the table. Marzone killed that poor man. The city doesn’t have to pay a . . .” He said, and then suddenly fell silent.

“Why did you show this to me? It kills your case stone dead. What are doing?” he said.

“I’m doing you favor. And you’re right. This video proves your defense, but it gives me a whole new case against the city, one that I can’t lose. While Marzone strangled a man to death, the head of the Internal Affairs Bureau watched. He recorded the murder. He didn’t stop it. He didn’t interfere at all. He didn’t shout out for help. There was no call for backup. He didn’t even call a paramedic. Frost failed to perform the most basic of his primary duties, resulting in my client’s death.”

Silence. Boles racked his brains. Then he curled his lips and said, “I’ll make a call, see if I can up the offer to one million.”

“No. You’ll pay Maria five million. Then you’ll set up a trust fund for another five million dollars. A month from now, when all of this has died down, the NYPD will issue a press statement exonerating Chilli Hernandez and confirming that the police are reopening the investigation into Ed Genarro’s death. You’ve got fifteen minutes to make the call and confirm your authority for settlement. If we don’t have an agreement, I’ll file suit against Frost’s estate and the NYPD first thing in the morning, and the commissioner can watch this video on YouTube while he’s having his cereal. That’s *my* final offer.”

If Boles opened his mouth any wider, he’d be in danger of swallowing the camera.

I got up and pulled open the door to the hallway.

“Wait. The trust fund, who’s the beneficiary?”

“Chilli Hernandez Junior,” I said.

Chapter Thirty-One

Seven minutes. That's how long the call lasted. Boles laid it on nice and thick for the commissioner. *This is a Rodney King moment and you can make it disappear . . . It's worse than two cops killing a man—we've got a senior, high-ranking officer recording the goddamn murder with his thumb up his ass. There's no coming back from that . . . They sued for thirteen million; we're settling for ten . . . I'm saving the department three million dollars, and I'm saving your career.*

I told Maria that Johnson's testimony would forever be on record and that even if we'd won the case, there would be no exoneration for Chilli. This was better than a judgment from the jury that Chilli had been unlawfully killed. This settlement ensured a declaration of his innocence. She nodded and told me that was what she'd really wanted all along. The news of the baby had changed her, calmed that anger. I knew she would always carry the loss of her husband, but for now there was the promise only a baby can bring: new life. She hugged me and hugged Jack.

"It's over," she said.

Vinnie was on board, too. Boles announced in court that the police department had reached a confidential settlement. Judge Winter looked relieved.

Jack took Maria out of court, surrounded by press, cameras, and newly converted supporters of Chilli Hernandez, who no longer looked like a violent ex-con now that his wife's lawsuit had been successful.

I hung back on the courthouse steps, leaning on a pillar and watching the circus of lights and microphones below—and in the center of all that

attention, Maria, silent and strong while Jack's mouth worked like a pump handle.

"You're a dead man."

It was only a whisper, but loud enough for me to hear. Marzone and Roark didn't even look at me as they pushed past reporters and made their way to the street. Two of their fellow Morgue Squad colleagues waited for them in a tan Chevy. They were the two men who'd tried to grab me at the Wall Street Ferry terminal.

A third man got out of the Chevy as Roark and Marzone approached the car. He was young, the guy who'd chased me along the pier the day before.

Roark and Marzone got into the car. The young cop stood on the sidewalk and closed the car door.

I caught the scent of something familiar, something greasy mingled with the sweet smell of a burning Marlboro.

The tan Chevy pulled out into a quiet lane. The traffic was light, post-lunch hour, and the car drove two hundred yards up the deserted street, pulled up to a stoplight, then leapt ten feet in the air as an explosion ripped the hood off the car, tore the chassis in two, and sent a hot mass of screaming metal into the headlines. Thankfully, there were no pedestrians around the car, no other vehicles close to it. Panic and smoke. I tumbled down the courthouse steps and found Maria lying on her back, Jack cradling her.

I looked them both over. Jack had blood in his hair, but he seemed okay. At first glance, Maria was unhurt but breathing hard. Her sister crawled toward her, a little shaken, but there were no injuries that I could see.

"It's okay, Maria. You're okay. Everything's fine. Just breathe. Take a deep—"

"What is it? What's wrong?" said Maria, panicked.

I couldn't speak. I felt numb. A dark stain was spreading over her dress, from below her stomach. The hem of her dress had ridden up, and I saw blood on the inside of her thigh.

"Something's wrong," she said.

A female uniformed cop pushed me out of the way and knelt beside Maria.

"It's okay. Paramedics are on their way. Look at me. Don't look down. Everything's gonna be fine," said the cop.

I pushed through the milling crowd toward the street. My vision swam, and a throbbing pain started up in my head. Burning gasoline trickled across the asphalt, tracing a flaming web from the torn inferno of flesh and metal. The gas tank had already gone up. Alarms of all kinds rang out in the street from cars and stores.

“Oh my God.”

I turned to hear who had spoken and found a female reporter crouched over the dead body of the young cop who’d let Marzone and Roark into the Chevy. His throat was sliced open in a ragged tear. It could’ve been shrapnel from the explosion. Or it could have been done with a hunting knife in the same second that everyone ducked and prayed for their lives when the Chevy went up in a ball of flame.

Beside the cop’s head was a still lit, half-smoked cigarette.

A Marlboro. The cigarette lay beside the faint, white cross drawn in chalk.

Chapter Thirty-Two

At midnight, Vinnie finished throwing up for the third time. I heard him moaning, flushing the toilet, and then shuffling back into his lounge. The place was as garish as his wardrobe and just as expensive. His tan seemed to have faded over the past hour as the color drained from his face and never really returned. It was the car bombing that had brought Vinnie to me. He called me a half hour after the bombing and said he needed to talk; he needed protection, and he was scared. And it had only gotten worse as the evening progressed.

Jack had called from the hospital. Maria was in labor. They were monitoring the baby's heart, and she may need a cesarean section. Jack would keep me posted. He said the NYPD had put a cop on the ward, just to make sure Maria was safe.

"Can you turn that off?" said Vinnie.

The TV was tuned to CNN, and a reporter stood outside the home of the second police officer to be gunned down in Bed-Stuy that night. The graphics banner running across the bottom of the screen read, WAR ON THE NYPD.

The hit man was cleaning house. He had no choice. Just like the Iceman—if something goes wrong, you erase everyone who could put you in a cell. And he needed that video. If the cops had the film and saw Marzone framing Chilli for murder, they might be inclined to look at the rest of Marzone's cases. It wouldn't take long to figure out that Marzone was framing people for certain murders. One step closer to the truth was a step too close for a professional hit man. Better that everyone was safely dead. It was risky, but nowhere near as dangerous as leaving one of Marzone's crew alive. I wasn't the only one who'd figured out the hit man's plan. I followed

Vinnie through the lounge, into the kitchen. He drained a glass of whiskey and opened the cupboard above his microwave. A bottle of Advil slipped from Vinnie's sweaty hands and spilled across the floor. He kicked the bottle and sent the rest of the pills scattering over the tiles.

"It's going to be okay," I said.

He nodded, wiped at his glistening forehead with a monogrammed handkerchief, and stared at the mess on the kitchen floor. Like a lot of driven criminal lawyers, Vinnie lived alone. That life wasn't conducive to marriage or even to the most basic of relationships. You were on 24-7. If you worked at it long enough, the good clients usually followed the good results. Only in Vinnie's case, he preferred to deal with bad people—they paid better. But he ran the occupational hazard that those same bad people just might need to kill you someday.

"Are you sure this is going to work?" he said.

"No, but it's your only shot at staying alive and out of jail," I said.

"We've been through this a dozen times," said McAllister. She was leaning on the doorframe. I hadn't noticed her arrival and had no idea how long she'd been there. After Vinnie had called me, I'd set up a meet with McAllister, and Vinnie had told her everything. How he'd facilitated transactions over the years—money drops for a hit man. He said he didn't have a lot of choice in the matter. These are not the kind of people you turn away—they always get what they want. The only question is how healthy you stay while you're working for them. Vinnie was never explicitly told what was going on, but he pieced it together. And once you're in with guys like that, there's no way out.

"You want to go before the judge with conspiracy to murder? We made a deal, Mr. Federof. If you keep up your end of the bargain, you walk into Witness Protection. Do you need me to read over your immunity agreement?" said McAllister.

"No, no . . . It's just . . . I didn't know he'd go after everyone. I mean . . . those cops in Bed-Stuy never even met him."

"Like I told you, he won't harm you unless he's sure he's got the video. This man is thorough. For God's sake, for years we didn't even know he existed. Show him in, Eddie gives you the memory card, you load it into the camera. Select the video, then hand him the camera. Before he can press play, we'll be all over him. Isn't that right, boys?" said McAllister, looking over her shoulder. Three SWAT guys waved from the dining room.

She was trying to keep Vinnie under control, smiling, reassuring him. Her expression changed in an instant, and her head swiveled around as she reached for her earpiece.

“Car. One man. Pulled up at the corner and coming toward the house,” she said.

“I need my jacket,” said Vinnie.

“There’s no time,” said McAllister.

“I need it,” said Vinnie, rushing out of the kitchen.

I heard him bounding up the staircase. That sound somehow made me nervous for the first time that evening. We’d been waiting for hours. Watching the news roll in and knowing that this man was on his way here—with the same hot gun. McAllister asked me to be here, to steady Vinnie. She thought it would be more convincing if I was there to hand over the memory card. That suited me just fine; it meant that I didn’t have to invent an excuse so McAllister would let me be here.

A knock on the door.

I checked the dining room and watched McAllister and her team lean the French doors almost closed. They were to wait in the backyard. I’d watched them making practice runs for the past two hours. Three seconds for the lead SWAT member to get through the French doors, across the dining room, and aim his weapon into the kitchen.

The knock came again, harder this time.

Vinnie came down the stairs wearing his jacket. From the kitchen, I watched him make his way down the hall to the front door. Before he opened it, he stared back at me. His eyes were clear and strong. We’d discussed it before we went to the cops. Vinnie knew what had to be done.

“I don’t like to wait in the street, Vinnie,” said Zippo.

The front door swung fully open, and the hit man hesitated when he saw me standing in the kitchen.

“I thought it was just you and me,” he said.

“He brought the memory card. I think he wants you to know that he’s on the level and that you don’t need to worry about him. Or me, for that matter,” said Vinnie.

The man said nothing. He just pushed past Vinnie and closed the front door. Vinnie returned to the kitchen, but the hit man stayed still. Listening. Waiting. Slowly he came forward, checking the lounge, then the downstairs bathroom on the way to the kitchen. Vinnie began to speak, but he was

silenced by a hand in the air. Zippo ducked into the dining room and gave it a quick look before returning to the kitchen.

“Anyone upstairs?” he said.

“No,” said Vinnie.

“If I hear anyone up there . . .”

“It’s just us,” I said.

He placed a stained finger to his lips and spent a long moment watching us, listening all the while. We stood quietly. After half a minute, he leaned against the kitchen counter, never taking his eyes from either of us.

“So where is it?” he said.

We looked at each other. I picked up a white envelope from the bench behind me. As I turned, Zippo peered over my shoulder, taking a long look out the back window. The lights were on in the kitchen, so he couldn’t see into the dark garden. Then I realized he was looking at my reflection in the window, making sure I wasn’t reaching for a piece.

Vinnie retrieved the camera from the counter and held it while I opened the envelope and plucked out the memory card. I handed it to Vinnie, who placed it in the camera and hit the power button.

“It takes a few seconds to load,” he said.

A glass ashtray sat beside Vinnie. He slid it across the counter to the hit man.

“It’s been one hell of a day. The video will just take a second to load,” said Vinnie, then placed his hand on the breast pocket of the jacket and pushed down hard, muffling the mike that McAllister had taped to his chest.

“Say, could I bum a cigarette?” said Vinnie.

“Why not?” said the hit man.

As his right hand moved toward his jacket, Vinnie let go of the mike and dove into his jacket. We both yelled, “GUN!” as Vinnie’s arm came up with a revolver. He started shooting before he’d aimed, and the first shot blew a hole in the polished aluminum refrigerator. The second shot threw the hit man backward, although I couldn’t see where he’d been hit; I was already diving for the floor.

Heavy feet in the dining room and an assault rifle appeared at the door. I covered my face and ducked. The noise of the damn thing made me scream out as the empty shell cases bounced along the kitchen tiles and came to rest next to the Advil pills.

“He’s down. He’s down,” said the SWAT commander.

McAllister launched herself into the room and stood over the hit man.

“Shit,” she said. “Vinnie, drop the gun.”

He let the piece fall from his fingers and followed it to the floor, where he covered his head.

Carefully, I got to my feet. Vinnie crouched in the corner of the kitchen, sobbing softly to himself. He’d done exactly as I’d told him. He knew it was the only way to protect himself. Even if the cops took the hit man alive, the first thing he would do would be to put out a hit on Vinnie, Jack, me, and Maria, for good measure. Guys on the inside can get a contract out in a day. There are well established channels for eliminating witnesses, and Sing Sing was the hotline. No, I knew this guy had to be put down, and Vinnie did, too.

“We needed him alive,” said McAllister.

I glanced at the dead man in Vinnie’s kitchen. One look said it all. Vinnie’s second shot had taken the guy in the leg, and the fire from the SWAT team had finished the job. The kitchen cupboards above the counter had a red tint to them. Darker material was spattered over the counter and wall.

“We thought he was going for a gun,” I said.

The hit man held his gold Zippo in his right hand.

“So he was going for his cigarettes?” I said. “That’s a damn shame.”

“I thought I heard something on the wire. Something Vinnie said, but the mike cut out most of the sentence. If I find out you—”

“What? You put me and Vinnie in the mousetrap that caught this guy. You did what Frost wanted to do. If it went wrong, it went wrong. Let’s not forget this guy put down a lot of cops today. And he came here to kill Vinnie,” I said.

Blood began to spread from beneath the corpse. McAllister stepped back.

“Let’s do a sweep, make sure we’re clear,” said the SWAT commander, and left the kitchen with his men.

When I’d hit the floor, I’d landed on the camera. The screen was broken, and the image from the beginning of the video had disappeared. All that remained was a black screen covered in spiderweb cracks. I picked it up off the floor and examined it.

“I’ll take that,” said McAllister.

I tossed it, and she caught the camera one-handed.

“What are you going to do with it?” I said. But I’d already guessed the answer.

“People have a right to know what happened.”

“The department will fire you in a heartbeat,” I said.

“I was thinking of quitting anyway. Frost did nothing with this, and he paid for it with his life. The city can’t complain you broke the agreement if we recover the video from a dead suspect, so don’t worry. I’m not messing with your settlement.”

“I know that, but you need to think about the damage this could do. NYPD officers working with a hit man to frame innocent men for contract killings—what’s that gonna sound like on *60 Minutes*? This will blow up in your face, McAllister. The cops on the beat need to start calming the hell down, and the citizens need to be reminded that there are plenty of good police out there. The truth comes at a heavy price. Vinnie’s already given you the dates when money moved in and out of his account. You can use that to tie down the Morgue Squad murders and get those innocent men released who are still behind bars.”

“Oh, I’ll do all of that. I’ll make sure of it. When that’s done, I’m leaking the video. I’m not afraid of the truth, Eddie. You shouldn’t be either.”

There was no changing her mind.

“Goodbye, Vinnie. Enjoy Witness Protection. I hear Alaska is nice this time of year,” I said.

“Eddie, thanks,” he said. He held out a hand. I turned and walked out of the house. Vinnie had made a lot of money from human misery, and I wanted no part of him. Vinnie would go on the record about the Morgue Squad, and once IAB were sure they’d cleaned up all the loose ends, he could re-enter the world.

I called a cab and waited outside on the lawn. The night had turned cold, and I welcomed it. Every inch of it. It reminded me that I was still alive, when so many were not.

The cab arrived, and I told the driver to take me to Queens.

Traffic proved light, and I told the cabdriver to stop by the river. I needed a minute. It was out of my way, but I needed to do something right then. It couldn’t wait. I got out of the cab and strolled to the water. The river came right up to the railing. I leaned over and took the memory card from my shirt pocket. I’d ejected and palmed it before I’d handed the camera over to McAllister.

There was a gap between the bracket and the rail; I jammed the card in and twisted until it snapped. As I watched the two halves float away on the river, I thought of Maria. Maybe McAllister was right. Maybe it should've come out in the open. All the cops who'd been involved were dead. The men who were wrongfully convicted would soon be released, thanks to Vinnie's sealed testimony to the DA and his accounts.

I didn't want Maria to watch her husband's murder. She had a chance now. I couldn't see her hurt anymore. Her last memory of Chilli should not be his body falling from Marzone's grip. Sometimes the truth is too painful to watch.

I got back in the cab and told the driver to take me home. While we drove, I checked my phone. There was a message from Jack. Maria'd had a little boy. Mama and Chilli Junior were doing just fine.

Chapter Thirty-Three

Over the next six months, twenty-six men had their convictions overturned by the district attorney. The official line was that an internal review of a deceased officer's cases had raised serious concerns about the investigations and that evidence had come to light conclusively proving another man, also now deceased, had been responsible.

Thanks to early tip-offs from McAllister, we signed up quite a few of those ex-cons and settled wrongful conviction cases with the city quickly and quietly. If Halloran and Flynn ever had a golden period, this was it. The money was coming in, finally. The only problem was that Jack began spending it. He wasn't the same after the Hernandez case; his poker game went to shit, he came into the office less, and his drinking escalated. He told me one night that he'd lost it. Whatever courage, or nerve, he once had at the table just wasn't there anymore.

Before the year was out we were almost broke again.

Then things started to pick up. I came into the office one morning to find Jack already at his desk.

"Either your apartment's on fire or you got evicted. Which is it?" I said.

He laughed and said, "Neither, my friend. We've got a new client. I'm on my way to meet him."

A half bottle of Jim Beam went into his pocket. He lifted his keys from the bowl on his desk and stopped. Put the bottle back in his drawer and fixed his top button.

"You're meeting a client sober? Who is it? The President?"

"Funny. It's the Russian mob. You remember that hit on the Italian guy? They caught the shooter in the apartment with the dead man about ten minutes after he killed him."

“Yeah, I remember.”

“It was a mob hit by the Russians. They’re shopping for lawyers. They’ve been through a couple of firms already. I got the call last night to meet them for breakfast. I need you to cover my cases this morning.”

“I can’t. I’ve got jury selection in the Berkley case.”

“Shit. I’ll call Volchek, tell him I’ll take him to lunch.”

There was a strange energy in Jack that morning. I hadn’t seen him so animated in a long time. I thought that maybe we had hit rock bottom, and between the attempted kidnapping trial for Ted Berkley and the promise of a long, drawn-out mob murder, we were crawling back to the top. We could catch up on our rent, pay off a few debts, and even lower the overdraft. This was another turning point for Halloran and Flynn, and I had a feeling that morning that everything would be all right.

I was wrong.

Acknowledgements

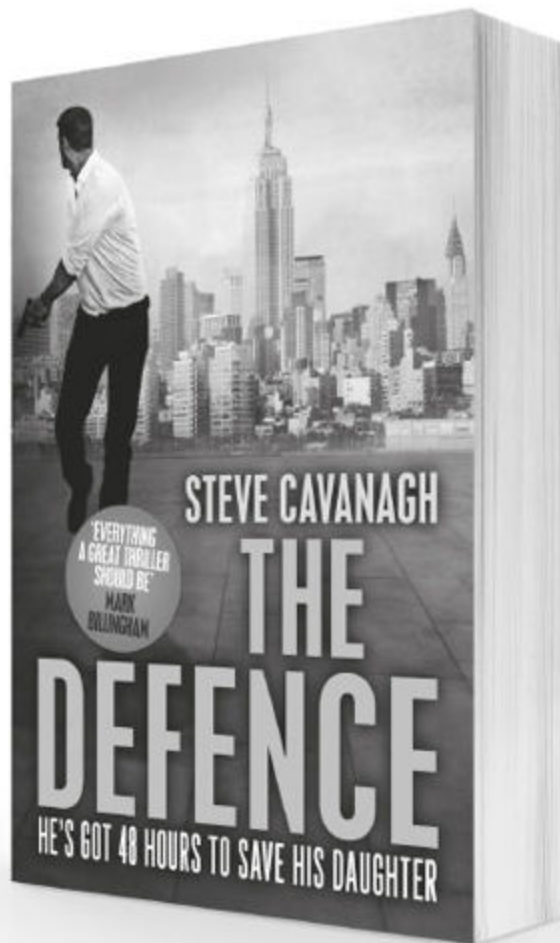
My thanks, as ever, to my amazing wife, Tracy, and my friends and family for all their support. This novella would've been much poorer without the expert guidance and suggestions of my editor, Jemima Forrester, and my agent Euan Thorneycroft. I'm immensely grateful to all at Orion Books for placing this in your hands.

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The Cross

was only the beginning for Eddie Flynn.

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CHAPTER ONE

“Do exactly as I tell you or I’ll put a bullet in your spine.”

The accent was male and Eastern European. I detected no tremors or hints of anxiety in his voice. The tone sounded even and measured. This wasn’t a threat; it was a statement of fact. If I didn’t cooperate, I would be shot.

I felt the unmistakable electric pressure from a handgun pressed into the small of my back. My first instinct was to lean in to the barrel and spin sharply to my left, turning the shot away from my body. The guy was probably right-handed, which meant he was naturally exposed on his left side. I could throw an elbow through that gap into the guy’s face as I turned, giving me enough time to break his wrist and bury the weapon in his forehead. Old instincts, but the guy who could do all of those things wasn’t around anymore. I’d buried him along with my past. I’d grown sloppy. That’s what happens when you go straight.

Without pressure on the faucet, the patter of water falling on porcelain faded. I felt my fingers shaking as I raised my wet hands in surrender.

“No need for that, Mr. Flynn.”

He knew my name. Gripping the sink, I raised my head and looked in the mirror. Never saw this guy before. Tall and slim, he wore a brown overcoat over a charcoal suit. He sported a shaved head, and a facial scar ran vertically from below his left eye to the jawline. Pushing the gun hard into my back, he said, “I’ll follow you out of the bathroom. You’ll put on your coat. You’ll pay for breakfast, and we’ll leave together. We’re going to talk. If you do as I tell you, you’ll be fine. If you don’t—you’re dead.”

Good eye contact. No blushing of the face or neck, no involuntary movement, no tells at all. I knew a hustler when I saw one. I knew the look. I’d worn it long enough. This guy was no hustler. He was a killer. But he

was not the first killer to threaten me, and I remembered I got clear last time by thinking, not panicking.

“Let’s go,” he said.

He stepped back a pace and held up the gun, letting me see it in the mirror. It looked real : a snub-nosed, silver revolver. I knew from the first second the threat was genuine, but seeing the short, evil weapon in the mirror set my skin alive with fear. My chest began to tighten as my heart stepped on the gas. I’d been out of the game too long. I would have to make do with thinking *and* panicking. The revolver disappeared into his coat pocket and he gestured toward the door. The conversation appeared to be over.

“Okay,” I said.

Two years of law school, two and half years clerking for a judge, and almost nine years as a practicing attorney, and all I managed to say was *okay*. I wiped my soapy hands on the back of my pants and ran my fingers through my dirty-blond hair. He followed me out of the bathroom and across the floor of the now-empty diner, where I lifted my coat, put it on, slid five bucks under my coffee cup, and made for the door. The scarred man followed me at a short distance.

Ted’s Diner was my favorite place to think. I don’t know how many trial strategies I had worked through in those booths, covering the tables with medical records, gunshot wound photos, and coffee-stained legal briefs. In the old days, I wouldn’t have eaten breakfast at the same place every day. Way too risky. In my new life, I enjoyed the routine of breakfast at Ted’s. I’d relaxed and stopped looking over my shoulder. Too bad. I could’ve used being on edge that morning : I might have seen him coming.

Walking out of the diner into the heart of the city felt like stepping into a safe place. The sidewalk bustled with the Monday-morning commute, and the pavement felt reassuring under my feet. This guy wasn’t going to shoot me in New York City, on Chambers Street, at eight fifteen in the morning in front of thirty witnesses. I stood to the left of the diner, outside an abandoned hardware store. I felt my face reddening with the pinch that November brings to the wind as I wondered what the man wanted. Had I lost a case for him years ago? I certainly couldn’t remember him. The scarred man joined me at the boarded-up window of the old store. He stood close so we couldn’t be separated by passersby. His face cracked into a long grin, bending the scar that bisected his cheek.

“Open your coat and look inside, Mr. Flynn.”

My hands felt awkward and clumsy as I searched my pockets and found nothing. I opened the coat fully. On the inside I saw what looked like a rip, as if the silk lining was coming away from the stitching. It wasn't a rip. It took me a few moments to realize there was a thin black jacket inside my coat, like another layer of lining. I hadn't seen it before. This guy must have slipped the jacket sleeves into my coat when I was in the bathroom. Slipping my hands across my back, I found a Velcro seam for a pocket that sat low down, just above my waist. Pulling it around so I could get a look at it, I tore open the seam, put my hand inside, and felt a loose thread.

I pulled the thread from the hidden pocket. But it wasn't a thread.

It was a wire.

A red wire.

My hands followed it to what felt like a thin plastic box and more wiring, and then to two slim, rectangular bulges in the jacket that sat on either side of my back.

I couldn't breathe.

I was wearing a bomb.

He wasn't going to shoot me on Chambers Street in front of thirty witnesses. He was going to blow me up along with God knew how many victims.

“Don't run, or I detonate the device. Don't try to take it off. Don't attract attention. My name is Arturas.” He pronounced it *Ar-toras* through his continuing smile.

I took in a sharp gulp of metallic air and forced myself to breathe it out slowly.

“Take it easy,” said Arturas.

“What do you want?” I said.

“My employer hired your firm to represent him. We have unfinished business.”

My fear subsided a little : This wasn't about me. It was about my old law firm, and I thought I could palm this guy off on Jack Halloran. “Sorry, pal. It's not my firm anymore. You're talking to the wrong guy. Who do you work for, exactly?”

“I think you know the name. Mr. Volchek.”

Oh shit. He was right. I did know the name. Olek Volchek was head of the Russian mob. My former partner, Jack Halloran, had agreed to represent

Volchek a month before Jack and I split. When Jack took on the case, Volchek awaited trial for murder—a gangland hit. I never got to look at the papers in the case or even meet Volchek. I’d devoted that entire month to defending Ted Berkley, a stockbroker, on an alleged attempted kidnapping charge—the case that broke me, completely. After the fallout from that case, I’d lost my family and then lost myself in a whiskey bottle. I got out of the law almost a year ago with what was left of my soul, and Jack had been only too happy to take my law firm. I hadn’t set foot in a courtroom since the jury delivered their verdict in the Berkley case, and I hadn’t planned on returning to the law anytime soon.

Jack was a different story. He had gambling problems. I’d heard recently he planned to sell the firm and leave town. He probably split and took Volchek’s retainer with him. If the Russian mob couldn’t find Jack, they would come looking for me—for a refund. Cue the strong-arm routine. With a bomb on my back, what does it matter that I’m bankrupt? I’ll get him the damn money. It was going to be okay. I could pay this guy. He wasn’t a terrorist. He was a mobster. Mobsters don’t blow people up who owe them money. They just get paid.

“Look, you need Jack Halloran. I’ve never met Mr. Volchek. Jack and I are no longer partners. But it’s okay; if you want your retainer refunded, I’ll gladly write you a check right now.”

Whether or not the check would cash was another issue. I had just over six hundred dollars in my account, my rent was overdue, and I had rehab bills I couldn’t pay and no income. The rehab fees were the main problem, but with the amount of whiskey I was putting away, I would’ve died if I hadn’t checked myself into a clinic and gotten help. In counseling, I’d realized that there was no amount of Jack Daniel’s that could’ve burned away the memory of what happened in the Berkley case. In the end, I’d gotten clean of booze and I was two weeks away from securing a final agreement with my creditors. Two weeks away from starting all over again. If the Russian wanted more than a few hundred bucks, I was screwed—big-time.

“Mr. Volchek does not want his money. You can keep it. After all, you’ll earn it,” said Arturas.

“What do you mean *earn* it? Look, I’m not in practice anymore. I haven’t practiced law for almost a year. I can’t help you. I’ll refund Mr. Volchek’s

retainer. Please just let me take this off,” I said, gripping the jacket, ready to heave it off.

“No,” he said. “You don’t understand, lawyer. Mr. Volchek wants you to do something for him. You *will* be his lawyer and he will pay you. You’ll do it. Or you will do no more in this life.”

My throat tightened in panic as I tried to speak. This didn’t make any sense. I felt sure that Jack would’ve told Volchek that I’d quit, that I couldn’t hack it anymore. A white stretch limousine pulled up at the curb. The shining wax finish carried my distorted reflection. The rear passenger door opened from the inside, sweeping away my image. Arturas stood beside the open door and nodded at me to get in. I tried to settle myself; I deepened my breathing, slowed my heart, and tried desperately not to puke. The limo’s heavily tinted windows spread an intense darkness over the interior, as if it were brimming with black water.

For a moment everything became remarkably still—it was just me and that open door. If I ran, I wouldn’t get far—not an option. If I got into the car and stayed close to Arturas, I knew he couldn’t detonate the device. At that moment, I cursed myself for not keeping my skills sharp. The same skills that had kept me alive on the streets for all those years, the same skills that helped me to con million-dollar-salary defense attorneys before I’d even been to law school, the same skills that would have spotted this guy before he got within ten feet of me.

I made my decision and climbed into the rabbit hole.

CHAPTER TWO

I felt the bomb pressing into my flesh as soon as I sat down.

There were four men in the back of the limo, including Arturas, who followed me inside, closed the door behind him, and sat on my left, still wearing that disconcerting smile. I could hear the engine purring, but we remained parked. The smell of cigar smoke and new leather filled my nose. More tinted glass separated the luxurious rear of the vehicle from the driver.

A white leather gym bag sat on the floor.

To my right, two men in dark overcoats filled a seat built for six people. They were freakishly large, like characters from a fairy tale. One had long blond hair tied up in a ponytail. The other had short brown hair and looked truly enormous. His head was the size of a basketball, and he easily dwarfed the big blond guy next to him, but it was his expression that frightened me the most. His face appeared to be bereft of all emotion, of all feeling, the cold, dreaded look of a half-dead soul. As a hustler, you rely on being able to spot a “tell.” You rely on your ability to manipulate emotions and natural human responses, but there’s one class of individual who’s immune to the usual moves, and every hustler can spot them and knows to stay the hell away from them—psychopaths. The giant with the brown hair looked like a textbook psycho.

The guy opposite me was Olek Volchek. He wore a black suit over a white shirt, which lay open at the neck. Graying stubble covered his face, and the same coloring ran into his hair. He might’ve looked handsome if it weren’t for a simmering malevolence in his eyes that seemed to temper his good looks. I recognized him from newspapers and TV; he was a mob boss, a killer, a drug dealer.

But he sure as hell wasn’t going to be my client.

I'd dealt with people like Volchek my whole life, as friends, enemies, and even as clients. Didn't matter if they were from the Bronx, Compton, Miami, or Little Odessa. Men like this respected only one thing—strength. As shit scared as I was, I couldn't let him see it or I was a dead man.

"I don't work for people who threaten me," I said.

"You don't have choice, Mr. Flynn. I'm your new client," said Volchek. He spoke with a thick Russian accent in slightly broken English.

"Sometimes, as you Americans say, shit happens. You can blame Jack Halloran if you like," said Volchek.

"I blame him for most things these days. Why isn't he representing you? Where is he?"

Volchek glanced at Arturas, and for a second he mirrored Arturas's indelible smile before he looked back at me and said, "When Jack Halloran took on my case, he said it was impossible to defend. I knew this already. I had four different law firms look at the case before Jack. Still, Jack could do things other lawyers could not. So I paid him and I gave Jack a job. Unfortunately, Jack couldn't hold up his end of the bargain."

"Too bad. Nothing to do with me," I said, struggling to keep the nerves from my voice.

"That's where you're wrong," said Volchek. From a gold case beside him, he removed a small chocolate-colored cigar, bit it, lit it, and said, "Two years ago I ordered a hit on a man named Mario Geraldo. I ask Little Benny to do it for me. Benny did his job. Then he got caught and he talked to FBI. Benny will give evidence at my trial that I ordered the hit. All the lawyers I spoke to said that Benny would be the prosecution's star witness. His evidence will convict me. No doubt about it."

My jaw was clenched so tight it began to ache.

"Benny is in FBI custody. He's well protected and well hidden. Even my contacts can't find him. You're the only one who can get close to him because you are my lawyer."

He lowered his voice and said, "Before you cross-examine Benny, you will take off your jacket and, when the court is empty, we will tape the bomb underneath the chair in the witness box. Benny takes his seat, and we detonate the device. No more Benny, no more case, no more problem. *You* are the bomber, Mr. Flynn. You'll go to prison. The prosecutor won't have enough evidence for a retrial, and I will go free."

"You're one crazy son of a bitch," I said.

Volchek didn't react at first. He didn't fly into a rage or threaten me. He just sat there for a moment before tilting his head as if he were considering his options. There was no sound, other than my heart jackknifing in my chest, and I wondered if I'd just earned myself a bullet. I couldn't take my eyes from Volchek, but I could feel the others staring at me, almost quizzically, like I was a guy who'd just put his hand into a snake pit.

"Have a look at this before you decide," said Volchek, nodding to Arturas.

Arturas picked up the white gym bag and opened it.

Jack's head was inside.

My stomach cramped. My mouth filled with saliva. I retched, covered my mouth, and coughed. I spat and fought to hold on to my senses and gripped the seat beneath me until I could feel my fingernails scraping the leather. All traces of a calm facade left me completely.

"We thought Jack could do it. We were wrong. But we take no chances with you, Mr. Flynn," said Volchek, leaning forward. "We have your daughter."

Time, breath, blood, motion—everything stopped.

"If you so much as touch her . . ."

He took a cell phone from his pants pocket and flipped it around so that I could see the screen. Amy stood on a dark street corner in front of a newsstand. My little girl. She was only ten years old. I saw her standing somewhere in New York, hugging herself against the cold and staring warily at the camera. Behind her, the news banner carried the headline on the cargo ship that sank on the Hudson on Saturday night.

I hadn't realized how much I was sweating; my shirt was soaked, along with my face and hair, but I was no longer afraid. I no longer cared about the bomb, the gun, or the pair of mute giants staring at me with their dead eyes.

"Give her back to me and I'll let you live," I said.

This produced laughter from Volchek and his crew. They knew me as Eddie Flynn, the lawyer; they didn't know the old Eddie Flynn : the hustler, the backstreet fighter, the con artist. In truth, I'd almost forgotten him myself.

Volchek inclined his head before speaking. He seemed to be considering each word carefully. "You are in no position to make threats. Be smart. Nothing will happen to your daughter if you do as I tell you," said Volchek.

“Let her go. I will do nothing until I know she’s safe. Kill me if you want. In fact, you’d better kill me, because I’ll go to my grave with my thumbs in your eyes if you don’t let her go now.”

Volchek took a pull from his cigar, opened his mouth, and for a moment, he let the smoke play over his fat lips, savoring the flavor.

“Your daughter is safe. We picked her up outside her school yesterday while she waited for the bus to take her on her field trip. She thinks the men looking after her are security guards, working for you. You’ve had death threats in the past, and she knows this. Your ex-wife thinks Amy is on the school trip, hiking in Long Island. The school believes she’s with you. She won’t be missed for a day or two. If you refuse to carry out your instructions, I will kill her. But that will be a relief. Your daughter will suffer if you don’t cooperate. Some of my men . . .”

He trailed off deliberately, pretending to search for the right words, letting my imagination build me a nightmare. My whole body tensed, as if preparing to repel a physical attack. I felt adrenaline washing my system with rage.

“Well, some of my men have *unusual appetites* for pretty little girls.”

I lunged at Volchek. Out of my seat before I knew what I was doing. Cramped, no purchase, ducking my head, but fired up, I still managed a decent right cross that connected sharply with Volchek’s left cheek. The cigar went flying out of his filthy mouth. My left hand drew back, and I steadied myself before I punched him in the throat.

Before I could throw that second punch, a huge hand grabbed me and picked me clean off the floor. Turning, I saw the giant psycho had taken hold of me. He was about to put me on my ass like an errant child when my old habits took over. My right hand grabbed for his face, hard, driving my fingernails into his fleshy forehead. It was an automatic, unconscious response and distraction. My left hand slipped into the big guy’s jacket, and I lifted his wallet. It took half a second. Fast and soft. I hadn’t lost much speed over the years after all. It was a clean lift. The big guy hadn’t noticed; he was too busy trying to take my head off. As I slipped the wallet into my pocket, a fist the size of a dinner plate appeared in front of my face. I turned away from the blow and felt the impact burn across the back of my skull. I fell, smacking my head on the limo floor.

I stayed on the deck and felt the pain roaring into my head. It was my first pocket dip in fifteen years. It was instinct; it just happened because that’s

who I was.

No—it's who I *am*.

The skills and techniques that I'd developed and used as a successful con artist—distraction, misdirection, persuasion, suggestion, the load, the switch, the drop—I'd used these methods just as much on the street all those years ago as I had for the past nine years in the courtroom. I hadn't really changed. I'd just changed the con.

My eyes and my mind closed as I gave in to the thickening dark.

CHAPTER THREE

I woke up on leather seats, the back of my head aching. One of the gorillas held a bag of ice on my neck. It was the big blond guy who looked as if he'd just lost his spot in a Swedish heavy metal band. The sweet, acrid smell from Volchek's cigar made me feel sick. I figured that I'd been picked up from the floor of the limo and dumped in the seat. My eyes burned a little from the smoke, but it took me only a second to realize the giant psycho who'd knocked me out was no longer in the car. I took the ice pack and dropped it to the floor.

"We're at the courthouse now," said Arturas.

I sat up.

"Why are we at the courthouse?" I said.

"Because Mr. Volchek's trial starts this morning," said Arturas.

"This morning?" I said. I summoned the image of my daughter on Volchek's phone and felt the anger building more pain behind my neck and iron tension in my muscles.

"Trial starts in an hour. Before you go, we need to know that you can do this. Otherwise we kill you now and your family later," said Arturas. He took out his revolver and placed it on his folded knee.

Arturas handed me an expensive-looking glass with a splash of urine-colored liquid swilling within. It smelled like bourbon. I downed it and felt that familiar, sour heat. It was my first drink since I'd checked out of rehab for alcohol addiction. For a second I thought about how much money I still owed the clinic, then dismissed the thought. There was a time and place for falling off the wagon, and right then seemed as good a time as any. I held my hand out for another, and Arturas spilled more of the liquor into my glass from a matching crystal decanter. I swallowed it fast and enjoyed the

burn. A shudder ripped through my body from the strong alcohol, and I shook my head. I was trying to clear my mind, like shaking a Magic 8-Ball; I didn't come up with any answers.

"Where's my daughter?"

"Safe and happy for now," said Arturas. He poured me another drink. I tucked that shot away and started thinking.

"Why'd you kill Jack?" I asked.

Volchek nodded to Arturas; he was happy to let him fill in the details.

"All of the lawyers we saw said Benny's evidence would convict Volchek. So it made sense just to kill Benny; it's a simple solution, but we can't find him. We . . . *persuaded* Jack to wear the jacket, so we could kill Benny when he got to court. But he couldn't do it."

I wondered what kind of persuasion they'd tried on Jack. No doubt he would've been tortured. He was an asshole and a gambling addict, but he had been my partner, and my feelings toward him softened a little then. Whatever Jack used to be, he wasn't cut out to carry a bomb. Most days he was lucky if he could carry his briefcase without tripping over his own feet. They must have worked him pretty hard.

"Why Jack?" I asked.

"It had to be a certain kind of lawyer. We know you and Jack started that firm with loan-shark money. Jack had a bad reputation for lying and not paying his debts. He needed money; clients started leaving the firm after you quit, and we needed someone who could carry the bomb through security. Security at the courthouse is good. It will be better today. We couldn't smuggle a bomb in there; everybody's searched going in, body scanned and then searched again—everyone except you and Jack. We know this. We watched both of you walk into that court building every day for months. Neither of you were ever searched. The security guards let you two straight through—like old friends. We told Jack what we told you; plant the bomb and take the hit."

Arturas leaned back in this seat and shot a quick glance at Volchek. It was almost like they were a tag team; Arturas had laid out the facts, straight and clear. After that, he seemed happy to let his boss handle the intimidation.

"Jack sat where you are now, Mr. Flynn, just three days ago. He wore the same jacket as you, with the same bomb inside. We told him what we told you. I opened the door of this car and told him to go and do his job," said Volchek, lowering his eyes to the floor.

His head came up through the pall of smoke, framing his face in the gray mist as he continued. “Jack froze. He shook like a . . . what you call it? Epileptic? Like he was having a fit. He had piss running down his leg. We closed the door and took him to our place.”

He sucked on the cigar again and watched the warm glow at the tip.

“I tied him to a chair. I tell him I will kill his sister if he doesn’t do as I ask. Victor here”—he pointed at the blond guy—“brings the sister to us. I take my knife and I cut her face in front of him. ‘*Will you do it now?*’ I ask him. Nothing. I go to work on her with my knife and he just sits there.”

I could almost feel a clamp coming down on my chest. This monster had my little girl. A noise startled me slightly; my knuckle joints cracking with the tension in my fist. In my other hand I held the empty bourbon glass, and I thought about punching it into Volchek’s eye before deciding against it. Given that my last attempt at taking him on had gone so badly, I didn’t want to take another shot.

Not yet.

“I realize then that I could not rely on Jack. Before I kill him, I gave the sister some satisfaction. I hand her my knife. I helped her cut him, cut him bad.”

A hellish fire kindled in his gaze, bathing his eyes in light. He appeared to find the memory delicious.

“Jack was in over his head, so I cut it off and gave it to his sister before I killed her, too. She was brave. Not like her brother.”

I looked at the gym bag on the floor, now mercifully closed, and thought of Jack. My opinion swung back to hating him. If I could, I would have kicked his severed head into the Hudson. Just plain kicked the shit out of it. Jack deserved to lie at the bottom of the river next to that sunken ship.

“We don’t have time for a dry run for you,” continued Arturas. “You take the bomb in now, Mr. Flynn. Calm yourself. Remember your daughter. You get the bomb in—you are a step closer to her. If you get caught, you go to jail for trying to blow up a public building. You’d get life, no parole. What do you think?”

I thought he was right. People who try to blow up public buildings in this city don’t usually fair too well in sentencing. I would be in the running for life imprisonment without doubt. The only saving grace would be that I’d planted the bomb because they’d threatened my daughter. Extreme duress isn’t an absolute defense, but I might avoid life.

That sickening smile spread over Arturas's face once again. I almost got the impression that he could guess what I was thinking. Volchek stubbed out his cigar and peered at me through the dying smoke. I thought that they were both intelligent, ruthless men, but each had a different kind of intelligence. Arturas seemed to be an adviser, the man with the plan who thought through the eventualities and carefully weighed up the risks, a calculated thinker. His boss was way different. Volchek's movements were slow and graceful, like a big cat sitting in the long grass, stalking its prey; his intellect was primal, instinctual—almost feral. My instinct told me that these men weren't going to let me live to tell my tale, no matter what happened.

"I haven't set foot in that building in a long time. What makes you think I'm going to be able to just walk in today without being searched?"

"You know the security guards and, more important, they know you," said Arturas. His voice began rising, and he sat forward to hammer home his point. "We've been watching the courthouse for a long time, lawyer. I've spent nearly two years planning this to the last detail. Whoever carries the bomb has to be someone the guards trust, someone they least expect. There is no other way of getting a bomb into that building. I've watched you myself, running through the doors late for court, waving at the guard on the desk when you jog through the sensors and set off the alarm. They ignore it and wave you on. You talk to the guards. They know you. They even take your calls for you."

I didn't carry a cell phone. I never liked the thought of anyone being able to pin my location to the nearest cell phone tower. It was a hangover from the old days that I'd never shaken off despite Jack having bought me more than one cell phone. I lost them all. When I was practicing, I'd be in the courthouse most of the day. If anyone needed me urgently, they rang the pay phone in the lobby. Usually somebody in security had a good idea what court I'd be in and they'd come get me. A couple of bottles of whiskey for the security guys at Christmas and a basket each at Thanksgiving was a small price to pay for that kind of help.

My head began to clear a little.

"Why can't you kill this guy some other way? A sniper could take him out as he travels to court."

Arturas nodded. "I've thought about that. I've thought over every possibility. We don't know where he is or how he will get to court. This is

the only way. We had lots of law firms look at the case. Those big firms practiced all over the city. You and Jack had nearly all of your cases here, in Chambers Street. You got to know the staff. Those other lawyers charge nine hundred dollars an hour. You think they have time to talk to a security guard? No. I knew this had to be the way the very first time I saw you and Jack run through security, setting off the alarm, and no one batted an eyelid. You showed me the way.”

Arturas was the brains here. This was clearly his plan. He seemed somehow detached, coldly rational, and I imagined he’d be that way even when it came to pulling the trigger. The opposite could’ve been said for Volchek. Even though he appeared calm after I’d hit him, I could sense that a monster lay behind his restrained pose, pawing at the surface, ready to break free at any moment.

I put my head in my hands and breathed deeply and slowly.

“There is one more thing, Mr. Flynn,” said Volchek. “You should know that we are fighters. We are proud. We are Bratva : This means *brotherhood*. I trust this man.” He put his hand on Arturas’s shoulder. “But much can go wrong. You must get the jacket inside. Your daughter’s death is one phone call away. You will get in. I know this. I can see a fighter in you, too. Do not fight me.”

He paused to light another cigar.

“Arturas and I came here twenty years ago with nothing. We spilled much blood to get where we are, and we will not run without a fight. But we are not stupid men. The trial is scheduled to last for three days. We are giving you two days. We cannot risk more. Two days to get Little Benny onto that seat so we can kill him. If he is not dead before four o’clock tomorrow, I have no choice. I will have to run. The longer the case goes on, the more likely the prosecutor will try to revoke my bail. A nine-hundred-dollar-an-hour lawyer told me that. You are smart enough to know he is right.”

I’d seen that happen before. Most prosecutors don’t have their most damaging piece of evidence at the arraignment when the accused applies for bail. DNA and expert evidence takes time to prepare. But by the time the case comes up for trial, the prosecution have all their ducks in a row, and if the prosecutor gets a good run on the evidence, they will make an application to the judge to revoke the defendant’s bail. That usually seals the defendant’s fate. All it takes is a small, yet deliberate, delay by the

custody officer for the jury to see the defendant in handcuffs. A second's glance at those bracelets and it's all over—the jury will convict every time.

I nodded at Volchek. He knew that I was experienced enough to know prosecution tactics, so there was no point in denying it.

As Volchek delivered his ultimatum, he struggled to hide the brutality of his true nature from his voice.

“The court has my passport as part of my bail terms. I get merchandise flown in from Russia three times a year, by private plane to a commercial airstrip not far from here. That plane arrives tomorrow at three o'clock and leaves at six. If Benny is still alive at four—you've run out of time. I will need to leave the court at four to make the plane. That plane is my last chance to get out of the United States. I want to stay. I want to fight. Little Benny must die before four tomorrow, or I will kill you and your daughter. Know this as a solemn vow.”

The whiskey glass shattered in my hand.

I felt like I was falling. My body slumped, my jaw trembled, and I shut my teeth tight to keep them from rattling. Blood dripped from a cut in my palm, but I couldn't feel the pain. I couldn't move. I couldn't think. My breath escaped in a short, low moan. If anything happened to Amy, the pain would kill me. I could feel my brain, my muscles, my heart, burning with the mere thought of that agony. My wife, Christine, had put up with a lot from me : the long hours in the office, the three a.m. phone calls from police precincts all over the city because the cops arrested one of my clients, the missed dinner dates and excuses I made for myself that I was doing it all for her and Amy. When I hit the bottle a year ago, she threw me out. I'd lost one of the best things I'd ever had. If I lost our daughter? I couldn't even begin to contemplate that horror.

From somewhere I heard the voice of my father, the man who'd taught me the grift, the man who'd told me what to do if I ever got made during a con—*hold it together no matter what*.

I closed my eyes and silently prayed, *Dear God, help me. Please help my little girl. I love her so much*.

I wiped my eyes before the tears came, sniffed, and scrolled though the menu on my digital watch, past my alarm call, and on to the timer. I set it to countdown.

“You need to make a decision, lawyer,” said Arturas, fingering the revolver.

"I'll do it. Just don't hurt Amy. She's only ten," I said.

Volchek and Arturas looked at each other.

"Good," said Arturas. "Go now and wait for me in lobby after you get through security."

"You mean *if* I get through."

"Should I make your daughter pray for you?" said Volchek.

I didn't answer. I got out of the limo alone and saw Arturas looking up at me from the car as I stepped to the sidewalk.

"Remember. We are watching you, and men are watching your daughter," Arturas said.

I nodded and said, "I won't fight you."

I lied.

Just as they'd lied to me. No matter what they said, no matter what they promised me, come four o'clock tomorrow, even if Benny should be reduced to a stain on the courthouse ceiling by then, they weren't letting Amy go. They were going to kill me and my little girl.

I had thirty-one hours.

Thirty-one hours to double-cross the Russian Mafia and steal my daughter back. And I had no clue how to do it.

I folded my coat around me. Buttoned it, flipped the collar, and turned toward the courthouse. My father's voice still played softly in my ear—*hold it together*. My hand had stopped bleeding. It felt even colder now; my breath seemed to freeze and fall in front of me. As that cold mist cleared, I saw something that I'd never seen before in nine years of daily practice at that courthouse—a line of maybe forty people comprised of reporters, lawyers, witnesses, defendants, and TV crews—all of them waiting to get through security.

CHAPTER FOUR

There's a strange electric sensation at the beginning of a major trial. As I joined the back of the line, I felt the excitement rising off the crowd, like heat shimmering on a stretch of distant Texan blacktop. Some of the crowd carried the early edition of the *New York Times*. I could see the front page in the arms of the man in front. The paper led with Volchek's picture and the headline RUSSIAN MOB TRIAL BEGINS. The guy in front of me looked like a crime reporter. Probably freelance or attached to a rag. You could spot the type a mile away : bad suit, bad haircut, and nicotine stains on his fingers revealing him as a chain smoker. I ducked my head into the folds of my overcoat and tried not to look at him.

The New York Chambers Street Court building was an old Victorian Gothic-style courthouse on steroids. Twenty-one courts spread over nineteen floors.

I counted twenty people in the line ahead of me.

The courthouse greeted visitors with a fifty-foot-wide stone staircase leading up to a row of Corinthian columns that sheltered a run-down entrance hall last decorated in the sixties. More people came and stood behind me as we slowly shuffled up the steps. I chanced an upward glance at the building. Statues, busts of former presidents and the first justices of New York, sat along the ledges, but time and weather were taking their toll on the old place.

As I climbed the last step, I felt sweat running down my cheek. My shirt clung to my back and made me even more aware of the bomb, which felt warm and alien. I counted only twelve people in front of me.

Getting into the courthouse without being searched seemed to be even more of a remote possibility than it had first appeared in the limo. Without

consciously removing it from my pocket, I suddenly became aware of my pen in my right hand. Trudging slowly toward the entrance, I rolled my pen around my fingers absently. I'd often found myself doing this without even realizing. Somehow it helped me think. The pen had been a gift from Amy.

At the time it had felt like a parting gift. When I'd been drinking, I'd rarely made it home. About a week before Father's Day, Christine decided I should move out and that Amy had a right to know. Christine told me that she didn't recognize me anymore and that it was better for Amy not to have to watch me decline any further.

Kids are smart, and Amy is smarter than most. She knew something bad was on the horizon when she saw both of us standing at her bedroom door. She'd tied up her long blond hair so that it wouldn't get in her eyes while she worked on her computer. As usual, she wore her favorite denim jacket over her jammies; if she wasn't sleeping or in school, she wore that jacket, covered in pins with smiley faces and rock band logos. She'd saved her weekly allowance for a whole month to buy it in a cheap clothing store, then set about decorating it in her own style. I stared at her for a while—we both did. Before we could say anything, she simply put aside her laptop and cried. We didn't need to tell her anything. She saw it coming a mile away. She asked the usual questions : How long would I be gone? Is it permanent? Why can't we just get along? I didn't have any answers. I just sat on the bed beside her, hugged her, and tried to be strong. Instead, I felt ashamed. Glancing at her laptop, I noticed she was looking at a website that sold engraved pens and had selected one with the inscription WORLD'S BEST DAD.

The pen stopped in my hand, the same pen Amy gave me just after I moved out of the house. I glanced down at the single word engraved on the polished aluminum shaft—DAD. She nearly broke my heart with that one. I stuffed the pen into my hip pocket and checked the line.

Ten people in front of me.

A whirl from heavy machinery drew my attention skyward. The mayor had authorized extensive, external building restorations for the courthouse, and a huge suspended scaffold stage hung from the roof, cradling the stone workers about four floors from the top. It was difficult to make out the workmen from the ground, but even from this distance I could see the stage gently swaying in the wind. They were blasting the dirt from the masonry and restoring the broken ornamental work. Developers wanted to pull down

the courthouse and move justice to cheaper accommodations. With the mayor being a former lawyer, it hadn't taken long for a petition to get the backing of influential councilmen. The courthouse could stay. They would restore the exterior and continue to let the interior rot away. New York was like that sometimes, content to let the polished veneer hide the rotting corpse in the basement. The reality was that Chambers Street Courthouse had historical value, as it was the first night court ever to be established in the United States. Night court is the most important court in the city. Every defendant has to be brought before a judge within twenty-four hours of being charged. With three hundred arrests per day in Manhattan alone, that meant an extra court sitting from five p.m. through to one a.m. When the recession really took hold, crime in the city went up. Now Chambers Street ran a criminal court twenty-four hours a day. Justice didn't sleep in this courthouse, and it hadn't closed its doors in the last two years.

As the line moved slowly forward, I began to hear the occasional *beep* from the security equipment. Luckily, I knew the security guards by name. One of the secrets to successful litigation was getting to know the court staff—all of them. You never know when you'll need a favor—an urgent fax picked up, a wayward client located, change for the coffee machine, or in my case, somebody to come get me when an urgent call came through to the pay phone in the lobby.

Eight people ahead of me.

I looked around the reporter's shoulder to get a better view of the entrance hall security. Barry and Edgar were handling the door. Security in most New York courts is handled by security officers who are really cops in all but name. They carry guns and wear a uniform. They can arrest you, restrain you, and if you are enough of a threat, they can put you down, permanently.

Barry stood behind the bag scanner, handling the trays, collecting cell phones, keys, wallets, and bags and putting them through the X-ray scanner while people stepped underneath the arch of the walk-through metal detector and hoped not to *beep*. Edgar patted down, removed forgotten offending items found on a person, and then resubmitted them through the gray arch until he was satisfied.

Beyond those guys, I saw a young, fair-haired guard I didn't recognize. Behind him I saw a fourth guard. He stood ten feet back from the security entrance with his hands resting on his gun belt, thumbs tucked behind the

leather, his arms hanging over his bloated stomach. It wasn't unusual to have an extra security officer in the lobby as a backup. I couldn't place this guy; he had a mustache and small, piglike black eyes. Although I couldn't remember seeing him before, I decided that I must have met him because he clearly recognized me. Barry, Edgar, and the new kid were concentrating on checking those people at the head of the line. The fat guard never took his eyes off me.

Six people between me and the security check.

I brushed sweat out of my eyes.

If I waited in line, I would be put through the same procedure as everyone else. I tried to recall how I usually acted. For me, entering this building had been like brushing my teeth; I had done it every morning, but I couldn't remember a single thing about it. Did I just rock in past the security check? Did I wait like everyone else and then get waved through? As I stood in the line, with hands trembling and my mouth dry and bitter, I was close to panic. I couldn't remember any single occasion of having walked through those doors.

Only four in front.

The bomb felt bigger and heavier with every step. The fat guard was still staring at me. Maybe I was giving off all the warning signals that these guys were trained to look out for. Since 9/11, everyone who's even remotely involved in law enforcement gets trained on how to recognize a potential terrorist threat.

I thought of Amy wiping her tears on her jammies, begging me not to leave.

No. I was through letting down my daughter. I made up my mind instantly. Terrorists don't bump the line. They wait. They want to blend in and look inconspicuous. I decided to be a brash, arrogant dick and be as loud and obnoxious as possible in the hope the fat guard thought I was just a jerk, not a potential bomber.

People called after me as I moved past them. I heard the reporter mutter, "Asshole." My heart rate picked up its pace again, faster and faster the closer I got to the head of the line.

"Hey, Barry. Let me buzz in real quick. I'm late for my big comeback," I said as I moved through the metal detector, causing a really loud *beep*. It was probably just as loud for everyone, but it seemed deafening to me. I

switched my gaze to the fat guard. He hadn't moved. He just stared. Edgar, on the other hand, was focused on searching a man at the head of the line.

"Eddie !" said Barry. He got up out of his seat at the scanner screen and shuffled around the machine. "I need to see you for a second."

I quickened my pace and moved for the hall, but the young, blond guard put his hands up to bar my way. He kept his hands there, in a crucifix position, and it took me a second to realize he wanted me to adopt the same position—so he could search me. I kept my hands low.

The fat guard started forward. Had I been made?

I thought about making a run for it. Push everyone out of the way and dart back out past the crowd. Behind me, a huge, bearded guy stood in the doorway, blocking out everything including most of the daylight. No way past him. I fought down the urge to run, and my legs started to shake.

"Hey, kid, usually you have to buy me dinner first," I said.

"Just hold up your hands, sir. I need to do a quick search."

"Look, kid, I have to go. I've never met you before, but trust me, I practically lived here for about ten years. I'm a lawyer. Ask Barry," I said as I tried to move past him.

His open palm hovered inches above the butt of his Beretta, and his fingers flexed like a bad actor in an old Western.

I stopped dead.

"What? You gonna ask me to draw, cowboy?"

I could feel people behind me getting out of the way. It was all going to be over in a heartbeat, thanks to a walking doughnut shop and one stupid kid who just wanted to do his job.

"Hank, let Eddie through," Barry said, coming to my rescue.

Hank dropped his arms, rolled his eyes, and stepped to the side. The fat guard stopped and folded his hands across his stomach.

Barry waved a finger at me, chuckled, and said, "That bastard Saint Christopher will end up earning you a cavity search one of these days."

How the hell had I forgotten that? I thought. Popping open an extra button on my shirt, I drew out the silver chain. I laughed nervously before I swung the white-gold Saint Christopher medal at Barry.

It all came back to me.

When I first started out in the law and began representing clients in this courthouse, I set off the alarm every day. Barry, Edgar, and others would search me, find nothing, and then send me through the scanner again, only

to hear the same *beep*. That medal had been around my neck since I was a teenager. I never took it off; it was like an extra limb. I didn't think about it. While the guards asked me if I had a steel plate in my leg and I took off most my clothes and they scratched their heads in disbelief at why I was still beeping, a line would begin to build up behind me. It was Barry, one wet Wednesday morning, who finally found the chain. He told all the security guards about it. Looking back, I couldn't remember being searched after that. If I beeped, I walked on, and if a guard bothered to get out of his seat to search me, I would take out my chain and wave it at him as I went by. Even after 9/11 I wasn't searched. By then I was a known face; I was there every day. Searching me would be like searching the judges. I'd even represented a couple of the guards. They began to see me as a fixture in the court, as a friend. There was no need to search a friend. It must have been the adrenaline, the shock of my situation hitting me, or the booze or the knock on the head from the big Russian, but for some reason, I hadn't remembered anything about the medal until Barry had mentioned it.

"Don't you know who this guy is?" said Barry. "This is Mr. Eddie Flynn. I forget you haven't been here that long. This guy's the best lawyer in New York. You look after him and he'll look after you. He needs anything, you call me."

Reluctantly, Hank nodded and turned to the person behind me to call them through the metal detector. Barry was probably busting this kid's balls every minute of every shift.

I watched the fat guard turn and walk away.

That was close, far too goddamn close.

"Barry, I really got to go, man. I'm so late. I'm in the mob trial starting this morning, and I don't even know what court I'm supposed to be in."

"I didn't know you were representing that scumbag. You're in luck anyways : Judge Pike is hearing that case, and she's still having breakfast. Edgar and I have to go get her in fifteen minutes. Sorry about the kid. Been trying to teach him something, but he's too stupid to learn. Come on, just over here. It won't take a sec."

Looking around, I couldn't see anyone from Volchek's crew in the line. But they could have other eyes I hadn't spotted yet. My ears rang with the sound of my pulse. I didn't know what Barry wanted. *What if he had a whiff of something from Jack? What if the Russians saw me in whispered conversation with Barry?*

I had to talk to him. He would know something was up if I didn't.

"Sure," I said, my head spinning in all directions as we walked to the corner of the lobby. Barry gestured for me to come in close.

"It's Terry," said Barry. "He meant to speak to you about his RSI case." I thanked God silently. Barry wanted to catch a freebie for his pal. I liked Barry. He was in his sixties and close to retirement, an ex-cop who just wanted to sit behind an X-ray machine until he finished his shift and then hit the bar.

"Terry's with Hollinger and Dunne, and they're costing him a fortune. I told him to go see you at the start of all this, but he wanted to go with the union lawyer. I couldn't talk him out of it. They've taken sixty grand already, and he's only seen one doctor. Could you take a look at his case file?"

At that moment I would have given Terry a kiss and a seven-course meal at the Ritz if it got me away from security, never mind a free ride on a repetitive strain injury case.

"Tell him I'll represent him for free," I said.

Barry smiled. "I'll tell him, all right. I'll call him right now. He's up on twelve."

"Look, I really gotta split, Barry."

"No problem. And thanks. I'm gonna tell him right now. He won't friggin' believe it."

I got out from under Barry's spell quicker than I'd hoped, and he sprang back to his seat behind the scanner.

I was *in*.

Turning, I put my back to the cool marble and felt the bomb clinging to my spine as I took in the line of people pouring through the entrance.

My watch read nine thirty. We had maybe a half hour before the trial began.

Arturas came through security and then hefted a large, Samsonite suitcase off the rollers after it had been through the X-ray scanner. He put it down on the floor and wheeled it behind him as he came over.

"Well done," he said.

I said nothing. He reached behind me and pressed the elevator button.

The elevator doors opened, and I pressed the button for the fourteenth floor, which housed court sixteen. Arturas pressed the top floor, floor nineteen.

“We’re in court sixteen. It’s on the fourteenth floor,” I said.

“We have a room upstairs. You need to change for court,” said Arturas.

The doors closed, and I heard the counterweight take off as we began to slowly ascend.

CHAPTER FIVE

As I rode the elevator to the top floor, I couldn't help but think about the old courthouse that had shaped so much of my life. The Chambers Street Courthouse had made me and broke me. Old-timers who hustled plea bargains in the lower courts called it the "Dracula Hotel," but no one was really sure why. Some said it was because of a long-serving judge who bore a striking resemblance to Bela Lugosi. For me, this courthouse had *actually* served as my hotel for the last six months of my law practice. Jack Halloran and I were trying desperately to fight off the recession and capitalize on the rising crime rate in the city. It could have been a gold mine for the right set of criminal attorneys. So we hit the criminal courts hard. We handled our cases during the day, then hung out and hustled the new arrests at night court. Most defendants didn't have a lawyer at night court because most law offices were closed, and there were only a limited number of reliable criminal law practices that carried a twenty-four-hour emergency service.

We worked our regular nine-to-five and then split the shifts; on Monday I would do the first court session of five thirty to one a.m.; then Jack took the graveyard shift. We'd swap shifts the next day and so on. By the time I wrapped up a case at, say, three a.m. or sometimes five a.m., there would be little point in me going home, so I'd put my head down in a conference room, or sometimes, if the other lawyers got there first to speak to their clients or get some shut-eye themselves, some of the clerks let me doze in their colleague's office. Or I might have had a drink with Judge Harry Ford before falling asleep on the couch in his chambers. The only good thing about the Dracula Hotel was that it was free.

The old courthouse was due a health check in the next six months. The money City Hall had spent on refurbishing the outer shell was being

reported as wasteful by city management. Most of the upper floors were unoccupied apart from old filing cabinets and furniture that wasn't worth saving. A lot of the support staff had relocated to the new offices across the street, which was another blow for the campaign to save the building.

The elevator door opened on floor nineteen : a whole floor of unused offices. I'd been up there before in the early hours to sleep before my next hearing. I'd spent more nights sleeping in different parts of the courthouse than I cared to remember. There were few facilities in the building, and the main problem was the lack of conference rooms where you can talk privately with your client. I'd used some of the old offices up there to consult. But aside from the occasional lawyer whispering with a client, or a lawyer catching a power nap, nobody came up there.

A moldy smell seemed to permeate through the walls. No one had been up there to do any cleaning in some time. We turned right out of the elevator, walked along a wide corridor, and then stopped at the second door on the right. Arturas took a set of keys from his coat pocket and slipped one into the lock. The lock looked brand-new. Arturas had planned on bringing me here. He opened the door and went inside, dragging the suitcase behind him. He closed and locked the door after me. The room within served as a large reception area for a judge's chambers. The reception area contained a stained desk, three green leather, studded couches, and an ancient photocopier.

A yellowed, framed print of the *Mona Lisa* sat above the desk.

Beyond the couches, I saw an inner door to the chambers. I opened the door to the private quarters and saw, straight ahead of me, a long sash window. On the left, a bookcase ran the length of the room. It held law reports and out-of-date textbooks. A small desk and chair sat tight against the bookcase. On the other wall were two rather poor artworks depicting barren Irish countryside scenes set upon peeling, floral wallpaper. One couch sat sullenly below the paintings. The place smelled of old newspapers, and thick dust lay on every surface.

I walked back into the reception room and saw Arturas taking a suit bag from the Samsonite case. He opened it and handed me a neatly folded pair of black suit pants. The jacket he placed on the chair. He then produced a white shirt, still in its packaging, and a new red tie.

Apart from my overcoat, I wore light chinos and a navy blazer over a blue shirt.

“Take off the coat,” said Arturas.

I removed my overcoat, and as I did so, the thin jacket that contained the bomb came off as well and slid out of my coat. As it fell to the floor, its deadly contents dragging it earthward, I dove into the judge’s chambers and covered my head.

Nothing.

Then laughter.

Feeling foolish, I got up and came back into the room. The jacket lay crumpled on the floor, and Arturas was smiling.

“Don’t worry. You need a charge to set off the bomb. You could bounce it off the walls and it would not detonate. You need this to set it off.” He produced something small and black from the pocket of his brown overcoat. It looked like a central locking pad for a car : a little plastic oval about the same size as a matchbox. It had two buttons—one green, one red. “One button to arm it, one to set it off. The bomb is not very large. It has a kill zone of four or five feet, no more,” said Arturas.

He picked up the thin jacket and laid it out flat on the reception desk.

Someone knocked. Arturas opened the door to the tall, blond Russian I’d met in the limo, the one Volchek called Victor. The big man closed the door and fixed his eyes upon me.

Arturas returned to the reception desk, opened the Velcro seam of the thin silk jacket, and removed the device that I’d felt through the material : two thin, rectangular blocks of hard putty with what looked to be a circuit board on top. Wires ran from the circuit board to something else. It could have been the inner workings of an old pager or something like that. More wires ran from this to the off-white plastic explosive. The whole thing looked to be around the same size as a pocket notepad. It was thin, and despite the damage it could do, it didn’t weigh much. Arturas lifted the suit jacket that he’d left on the chair. He placed it inside out on the desk and began running his hands along the lining. He’d known that I would need a suit for court. This one looked as though it had been custom tailored to conceal the device in a hidden pocket in the back of the jacket. He closed the seam after he secured the bomb, then lifted the jacket. I couldn’t tell there was something hidden in the back. It looked perfectly normal.

“Get changed,” said Arturas.

Lifting the pants, the shirt, the tie, and my overcoat, I moved into the chambers office. “You don’t mind?” I said.

He shook his head.

The pants were a good fit. The white shirt was way too big at the collar, but the blue button-down I was already wearing would do. I left the rest of my clothes and the tie in the chambers and went back into the reception room to try on the jacket. Arturas held it open for me, like a salesman. Turning, I held my arms out behind me and he slipped the sleeves onto my arms and threaded it up and over my shoulders. I thought it was a little big, like the shirt. Arturas strode around me, checking the angles, smoothing down the material, making sure it looked normal.

“It will do well. The white shirt was too big?” he said.

“Yeah. Too much room in the collar.”

He nodded.

Without another word, I went back into the chambers and folded my collar up so I could put on the tie. The Russians were in my peripheral vision. Arturas was closing up the large suitcase, which still looked plenty full. Victor watched Arturas. Before they could notice, I picked up my overcoat and drew out the wallet that I’d lifted from the big Russian in the limo. If the jacket were a size or two smaller, it would have been a problem concealing the wallet in the inside pocket of my new suit. With the extra width, no one would notice. I couldn’t risk taking a look at the wallet just yet; I would have to wait. It was likely that I would find nothing useful in the wallet. But I was damn glad that I had it. The mere fact that I’d been able to pocket it without being seen gave me some hope that the skills I’d learned so long ago had not deserted me completely. Opening and closing my fists and rolling my shoulders, I tried to calm myself and let my mind absorb the situation.

A dirty mirror sat in the corner of the bookcase. I wiped the layer of dust from it and made sure my tie was straight.

There was no denying it; every time I put on a suit and looked in the mirror, I didn’t see a lawyer. I saw a con man.

A man just like my father.

Lifting a wallet unobserved is no easy task. It takes a long time to learn how to complete the perfect pocket dip. You need quick, easy hands, steady nerves, and the ability to either take off or take down the mark. I learned from one of the best cannons in the business, a true pickpocket artist—my dad, Pat Flynn. Most pickpockets don’t like to be called ‘pickpockets,’ and always refer to themselves as cannons. My abiding memory of my father is

him sitting in his armchair in front of the TV, eyes heavy, breathing slowly, looking almost dead or asleep, and all the while he would be running a quarter over his knuckles like droplets of mercury slipping over a fork.

For a big guy, he had dainty little hands, and each individual finger moved like a dancer : fast, fluid, clean. Much to my mother's disapproval, my dad ran an illegal gambling ring out of the back of McGonagall's Bar in Brooklyn. He'd been a con artist and a smuggler in Dublin until he'd saved enough to buy a ticket to America. When he got off the boat, he went straight to the nearest diner and ordered his first hamburger. He didn't tip his nineteen-year-old waitress, and she chased him for four blocks before finally catching him. He gave her a huge tip, used his God-given charm, and they started dating. The waitress was a second-generation Italian girl named Isabella. My parents, Pat and Isabella, married in secret a year later.

I would go down to the bar after school and drink a soda while I watched my dad run his crew. At the height of his little operation, he had maybe forty runners hustling the action on dogs, horses, boxing, and football. Once he'd dealt with his runners, we'd shoot a game of pool. Then he'd lift me up onto a barstool, plant his worn red book beside him, and teach me how to palm a card, a dime, a silver dollar, a watch, how to dip for leather while looking the mark in the eye, how to fold a ten-dollar bill and make it look like a hundred, how to signal your shill for the perfect distraction while you made the dip, how to hide money in your clothes so no one could find it, and more, much more. I still remember the taste of the Dr. Peppers, the citrus smell of his aftershave, the smoothness of the polished rosewood bar, and beneath it, my dad's pretty hands working their magic.

At first he had refused to teach me. Even then, at age eight, I could be persuasive, and eventually I wore him down. He agreed to teach me on two conditions. The first was that we kept the lessons secret; Mom was never to know. Second, if he was going to teach me, he knew that he wouldn't be able to stop me from honing my skills on the street, so the next best thing in his mind was to make sure that if I did make a slip, I would be able to defend myself. After an hour or so working on my form at the bar, he'd take me to the gym and watch me learn how to box. Mom didn't know about any of it. She worked late, waiting tables at a restaurant ten blocks away. It was our secret, me and my dad's. When Mom came home from her shift, my dad always had something hot waiting for her. Then she'd curl up on the couch with a romance novel, the trashier the better, and read until she fell

asleep. By the time I'd turned fourteen, I'd beaten every decent fighter in the district, including kids two and three years older than me. I was fast, I hit hard, and I didn't go down easy. My dad wanted me to get better, so after our session in the bar, we'd take the E train to Lexington Avenue and I'd spar in Mickey Hooley's gym on 54th Street against the best young fighters that Hell's Kitchen had to offer. That's where I met most of the guys who ended up in my crew. And one particular guy, a squat little boy with a sledgehammer right cross, by the name of Jimmy Fellini, who quickly became my best pal. Jimmy would go on to be a promising amateur boxer, and I watched every one of his fights. We were brothers back then. But Jimmy missed out on his shot at turning pro.

He had family commitments.

Two years after I'd joined Mickey's gym, my dad got sick. We weren't poor, and my dad always paid the health insurance for the whole family, right on time, every month in life. The rare form of cancer that took him wasn't covered under the policy. My dad hired a lawyer, the cheapest one he could find. The insurance company hired a big-city law firm, and the case went to court. I watched my dad's lawyer get crucified. It wasn't his fault; he was hopelessly outmatched. We lost the case, and even with money from friends and Jimmy's family, we didn't have enough to pay the hospital fees. Without proper treatment, my dad was dead within six months.

I wasn't there when he died. In his hospital room, I'd held his frail, skeletal hand in mine for eleven hours and then got up and left to get a soda from the machine. When I got back, I saw my mom waiting for me at the door to his room. I knew he was dead. She didn't say anything. She just handed me his Saint Christopher medal and cried. After that, it was just me and my mom, and she looked after me as best she could. She even let me box as long as I got straight As. I kept my promise and graduated top of my class. I made sure to have mac and cheese or a plate of eggs waiting for her when she got home from the restaurant. Most nights she didn't eat it, but she never failed to thank me. I couldn't cook for shit, and she knew it, but she was thanking me for being the man of the house and keeping a little part of Dad alive. She'd stopped reading the romance novels. Instead she watched a little TV with me before turning in.

When I'd completed school, I hit the illegal fight circuit for a year and ran a few scams on the side. Before the year was out, I had enough money to stake my operation. I hit the street at eighteen, ready to set up : a perfect

con, a surefire way to steal every last cent that I could from the people who killed my dad—insurance companies and the rich lawyers who protected them.

Looking back, they hadn't stood a chance.

"Lawyer," said Arturas, from the reception room. "Time's up. We have to go. The trial is about to start."

CHAPTER SIX

Leaving my coat and pants in the chambers office and sporting my new suit, I joined the Russians at the door. Arturas wheeled the suitcase behind him.

“What’s in the case?” I asked.

“Volchek’s files—all the papers that Jack prepared for the hearing.”

“Is there a prosecution witness list?”

“Yes, and Benny’s at the end of it.”

I’d guessed about as much. The prosecution always saved their best witness till last.

We rode the elevator to the fourteenth floor and court sixteen. The elevators opened up to a wide hall. The white stone walls were bedecked with four huge plaques listing the names of lawyers and judges who fought and died in World War II. Bathrooms and vending machines were scattered around the corners. To the left of the elevators, the long marble staircase rose to the upper floor.

Directly ahead of us were the open, oak double doors that led to a packed courtroom.

Court sixteen was the grandest courtroom in the building. Four large arched windows on the left-hand wall revealed a familiar skyline. The marble floor seemed to sip at the pale morning sun. Newly installed pine benches made up the public gallery. Two judges had threatened to quit if they didn’t get the new benches because the old theater-style seats had become infested with fleas over the years—no doubt due to the type of clientele that the criminal court attracted. When the infestation spread to the judges, replacement seating suddenly became a priority.

There were around twenty-five rows of benches, which were split into two sections on either side of the central aisle. A rail separated the gallery

from the legal tables : prosecution table on the left and defense on the right. Both tables faced the judge. The prosecution table sat empty. A small clump of gallery seats behind the defense table had been saved for Volchek and his entourage. I heard my name being whispered by a few people as I made my way to the defense table. At the back of the court, the judge's leather seat waited behind a mahogany judicial bench. About fifteen feet in front of the prosecution table stood the witness box. Three steps led up to a small half door in the otherwise solid oak box that contained a single, straight-backed steel chair with a worn, upholstered seat. Directly opposite the witness box and ten feet to the right of the defense table was the jury stand with twelve empty chairs. The jury stand faced both the witness box and the windows behind it. A thought occurred to me as I took my seat.

"Is jury selection complete?" I asked Arturas.

"Yes, but . . ."

Before Arturas could answer, Miriam Sullivan, acting district attorney for New York County, walked into court sixteen flanked by an entourage of assistant DAs and paralegals, who were quickly followed by another three guys in dark suits. From the way they moved and looked, I guessed the stragglers were FBI.

I'd followed this case in the papers like every other New Yorker. A man in his forties with links to an Italian crime family had been found shot in his apartment two years ago. An unidentified man was arrested at the scene : the man I now know to be Little Benny. Benny got caught red-handed with the murder weapon and the body. Filling in the blanks that Volchek had left, I guessed that the FBI had been watching Volchek for years and they stepped in to make a deal with Benny. They wanted to go light on the trigger man and get to the real boss. After Volchek got arrested, the *Times* reported that the judge set bail at five million dollars. Volchek paid that sum in cash within a half hour.

The murder didn't cross state lines and wasn't, as far as I could tell, drug related, so the NYPD and the district attorney's office held on to the case. The feds would hold the witness so they could keep an eye on proceedings. I remembered an unusual feature of the case, something that had grated on me from the first time I read the reports in the papers. There was only one charge—murder. Volchek hadn't been indicted for drug running or racketeering or any of the usual organized crime charges. He faced a single charge of first-degree murder.

The prosecution team heaved cardboard boxes full of files onto their table, grabbed extra seats, and built a fortress of paper on their desk. Psychological tactics for the jury—*look at all the evidence we have against this guy*. The state had an army of the top prosecutors, who'd had months to prepare a watertight case, and an unlimited budget.

Miriam looked cool and professional, every inch the seasoned litigator. She wore a black suit with a skirt. She wasn't classically beautiful, and I'd heard her described as having quite plain features. But her demeanor changed when she came to court; her eyes took on an intensity that was almost hypnotic. Throw in the legs, the shapely figure, and it was a good visual package for the jury. Not that she needed an advantage. She could've looked like Danny DeVito and it wouldn't have made any difference. Miriam was just a devastating lawyer—period. She'd made her name in vice before moving to sex crimes. During the five years that Miriam prosecuted sexual offenders, the conviction rate for rape almost doubled. She'd graduated to homicide, and so far, she was on track for the DA's job come election season.

Arturas placed the suitcase on the floor underneath the defense table and took his seat at the end of the row behind me. I heard a rumble of heavy footfalls and murmurs from the crowd, and I didn't need to turn around to know that Volchek was making his entrance. I opened the suitcase and looked inside at the seven files that contained probably six or seven thousand pages in total.

The rumble from the crowd became louder. I turned around to see Volchek walking down the central aisle, alone. Then a Hispanic male stood up in the middle of the crowd. He wore a red and blue bandana, a white shirt and track top. Tattoos spread from his neck up over his jaw and onto his face. It wasn't the mere fact that he'd stood up that caught my eye; it was what he was doing. He clapped his hands in a slow cadence. An Asian guy in a dark suit got up and began to join in with the applause just as somebody else stood to attention. The third man was also Hispanic. He wore a maroon T-shirt and he also sported black, wiry tattoos on his bare arms and neck.

Volchek nodded politely at each of the men as he passed them and sat down beside me at the defense table.

"Friends of yours?" I said.

“No. They are not friends. They are my enemies. They’ve come to watch me fall.”

The slow, staccato applause for Volchek died down.

“So exactly who are these enemies?” I asked.

“The Puerto Ricans and the Mexicans run lines for the South American cartels here in New York. The other man is Yakuza. They are here to show me that if I go to prison, they are coming for me and my operation. They are in for a surprise,” he said.

CHAPTER SEVEN

Jean Denver, one of the few female clerks, emerged from the entrance to the judge's chambers. She winked at me. I liked Jean; she was cute, smart and liked to flirt. She wheeled a heavy trolley. It contained five binders that were thick with paper. The judge's case files. Judge Pike must be ready to make her appearance. That meant I was about to get my first look at the jury. You can be the most knowledgeable lawyer in the world and be an amazing cross-examiner, but if you don't know how to talk to a jury, you're in big trouble. Before you talk to them, you have to understand them. Most jurors don't want to be jurors. The minority that actively want to be jurors should be avoided at all costs.

I could feel the muscles in my neck getting tighter and tighter each minute, as if the wiring from the bomb was sliding up my back to choke me.

Miriam walked over to my table and stood beside me. Staring into space, my head was running at a hundred miles an hour. I could feel the heat from Miriam's smile. She held a handwritten message on a yellow Post-it, which she waved at me before sticking it to the desk.

YOUR CLIENT'S GOING DOWN. I'LL HAVE HIS BAIL REVOKED BY 5 P.M.

My mouth was dry. That note was a death sentence for Amy. If Miriam was right, and she was successful in revoking Volchek's bail, then Amy and I would be dead before the cuffs warmed up on Volchek's wrists. I was aware of my heels bouncing on the marble floor, and I swore silently and battled to calm down and think.

Miriam didn't normally get so personal. Like most good lawyers, Miriam usually stayed detached. We'd come up against each other a few times in

the past and came out about even. In the first case I tried against Miriam, I'd underestimated her badly. She wiped the floor with me. My client was caught selling meth outside a school. No deals on a plea, so we fought it and my scumbag got heavy time. Her performance for the jury was flawless; she'd remained composed, restrained, and gave the impression to the jury that she was just recounting facts, not playing on their emotions. About a month after the trial, someone told me that Miriam's son went to that school and had been offered drugs by my client. She hadn't mentioned it to me and sailed through to an easy, dispassionate victory. Even though it was the right verdict, and an easy one for the jury, the way she secured that win impressed me.

The note she'd handed me was intended to rile the defense. That meant Miriam was worried. This was no ordinary murder. Miriam's career case started today. If she lost this open-and-shut wonder, she'd be out of a job. Prosecutors often experience more pressure on such a case because they're expected to win, and if she secured a verdict, with the feds holding the hand of her star witness, news of her victory would travel in the right circles. I handed the note to Volchek. First, so that he could see I wasn't swapping notes with the prosecutor about the bomb, and second, I needed him scared. People who're scared like options. If such things had existed, the hustler's bible, page one, would read exactly the same as the first page of the trial lawyer's manual : *Give the people what they want*.

"She's going for your bail straight off the bat," I said.

Arturas leaned over the rail to listen. I watched as Volchek grew pale and turned toward Arturas.

"You did not expect this," said Volchek.

"She can't do that yet. The other lawyers told us the prosecutor would try, but that they were confident she wouldn't get it," replied Arturas.

"You think they were maybe being optimistic because they wanted to get retained in your case?" I said. I watched Arturas's face tighten, his eyes narrow.

"She must think she has a great first witness : a game changer. A good trial attorney will always start a case with a strong witness. Miriam Sullivan is a great attorney. She thinks the first witness will be enough to put you in handcuffs."

Volchek bared his teeth and snarled, "Arturas, you told me you had thought of everything. You've had two years to plan. First Jack can't even

get out of the limo with the bomb, never mind get through security. Now this . . .” His arm reached out as if to claw at Arturas’s face, but he held back at the last moment. “If you fail me again . . .” He shook his head.

Arturas stroked the scar on his cheek. He saw me watching him and took his hand away from his face. Up close, I saw that the scar had not fully healed. A translucent liquid oozed from a red, puckered section of the wound just below his eye. Guys like Arturas don’t go to the ER for that kind of treatment, and whoever had stitched his cut hadn’t done a very good job. Backstreet doctors, high from their own prescription pads, aren’t known for their care with hygiene, or their skill with a needle for that matter. The scar looked keloid and infected and would probably stay that way; damaged tissue sometimes never fully heals.

I began to wonder about that scar. Perhaps it was a punishment from Volchek for a past failure. Arturas focused his anger on me.

“You will not let her revoke bail. Your daughter’s life depends on it. One phone call is all it takes to have her little throat cut,” he said.

Rage stripped the anxiety from my voice, and I said, “Take it easy. I won’t let it happen. She would need something incredible to get Volchek’s bail revoked on the first day. Whatever it is, I’ll deal with it,” I said.

I heard the door to the judge’s chambers opening. I was about to start a case that I knew nothing about. Whatever Miriam had up her sleeve that was so good, I would learn all about it from her opening statement to the jury. I straightened my tie, adjusted my jacket, and felt the weight of the bomb on my back.

“Silence in court ! All stand for the honorable Justice Gabriella Pike, case docket number 552192, the People versus Olek Volchek on one count of murder in the first degree.” With that announcement from the court officer, a small, unassuming brunette in dark robes jogged into the courtroom and sat down before the announcement finished and long before most people had lifted their ass off their seats. Judge Pike did everything at high speed. She spoke quickly, walked quickly, and ate quickly. As a defense attorney, she’d been a formidable lawyer because, just as she was with everything else, she could think on her feet with stunning rapidity. This made her a devastating cross-examiner. She could shift tactics at the drop of a hat, and her skills soon became noticed by the right people. Deeply ambitious, it didn’t take long for Gabriella to become the youngest judge in the history of

the state, and because she was a former defense attorney, she made a point of giving all defense attorneys a real hard time.

“Please be seated with Her Honor’s permission,” cried the officer, and people settled.

Judge Pike looked at me. “Mr. Flynn, I thought your partner was counsel in this case,” she said. She spoke with a slightly diluted Brooklyn accent, but her speedball delivery hid the breadth of that accent well.

A throbbing pain began in my head.

“I’m stepping into my friend’s shoes for the duration of the trial—unless Your Honor has any objection?” I said it more in hope than anything else. I knew she would have no objection, and she said so. Changing the counsel of record happened a lot. Criminal clients were always firing their attorneys and hiring new ones. Some defendants changed counsel five or six times during the life of their case—usually because they didn’t like the advice they’d been given or because their attorney sent them a large legal bill.

“Can we have the jury, please?” said Judge Pike to no one in particular, but the jury officer heard his cue and departed through a side door to fetch them. I prayed for a little break to bring me some hope. The judge would watch the jury closely. If the prosecutor’s opening witness was really strong and the jury was leaning against Volchek, this might give Judge Pike enough confidence to revoke Volchek’s bail when the time came. The pain in my head worsened, and I began to feel nausea creeping into my gut. I had no choice at the moment but to deal with what was in front of me. Jack had been a good lawyer. Surely he would’ve picked a good jury.

The jury filed in and took their seats : six in the first row and six in the elevated row behind.

I doubted if I would’ve picked any of them.

The first juror was a white guy in his early forties. He wore a plaid shirt and spectacles. He looked considerate, moderately intelligent and probably ranked as the worst choice of all. The rest were not a jury of Volchek’s peers—five small black women in their late fifties to early sixties, wearing floral dresses, strong ladies with a certain charming appearance but no friends of the Russian mob. Then another four women in their thirties and forties : two white, one Hispanic, and one Chinese. I saw a black guy wearing a white shirt and a red bow tie. Bow ties spell danger to trial lawyers; no one is more strident in their views than a man in a bow tie. The last guy was Hispanic, and his shirt looked well ironed with sharp creases

down both arms. He looked clean, well presented, and something about him spoke of a quiet intelligence. He didn't rank as a good choice either, but he was probably the best of a bad bunch. At least he would listen. It's so vital to have a jury member who is willing to listen. Their face can be your barometer for success : As long as that face is computing and occasionally smiling and nodding at your points, you've got a chance. Other jurors might listen to him and be led by him.

"Ms. Sullivan, your opening statement, please," said the judge.

An expectant silence fell on the room. Arturas reached into the case, produced a legal pad and a pencil for me to take notes. He'd thought about everything. I opened the pad, pushed the pencil away, took out my DAD pen, and readied myself to take notes.

My first note is usually the name of the case and the name of the judge and prosecutor. When I looked at my pad, I'd written only one thing—*Amy*. Until a year ago, I'd cherished Sundays. That was our day. No matter what case I'd been involved in, or how overworked I was, on Sunday I made pancakes for breakfast and Amy and I would hit Prospect Park for the afternoon. It was our time. She'd learned to ride her bike on the footpath leading up to the Nethermead Arches Bridge and couldn't wait to get home to tell Christine; she'd fallen asleep on my shoulders on the way back from the zoo and dribbled all over my shirt; and we'd eaten ice cream cones beside the lake as we watched the geese flying over the boathouse and talked about her best friends and the kids that gave her a hard time for being a little different. Amy didn't listen to the latest boy bands or hip-hop artists, and she didn't watch much TV. She liked reading and listening to old rock bands, like The Who, the Stones, and the Beatles. If it was raining, we'd buy too much popcorn and go watch an old movie. I'd always looked forward to Sundays. But it was no longer our day; since the breakup, Christine wanted Amy to be settled for going back to school, so we'd switched to Saturdays. At the end of every Saturday afternoon, I dropped her off, kissed her goodbye, and left to drive home to my empty apartment.

I looked around the courtroom and saw that everyone was waiting for the prosecutor to begin.

Miriam rested her elbows on the desk and held her hands delicately below her face. I'd seen her do this before. All eyes were upon her. She drew you in, framing that trustworthy face with those fragile hands. Rising from her seat, she approached the jury and began, confidently, to look at each one of

them in turn, holding their eyes in her forensic gaze. Her way of connecting with them, each of them, and they connected all right. If she'd told the jury right then that Volchek was guilty, they would've convicted on her word—that instant.

“Ladies and gentlemen of the jury, my name is Miriam Sullivan. I'm responsible for prosecuting Mr. Volchek for murder. In a moment I'll give you an outline of the evidence. I'll give you a route map to the truth about this murder. This map will show you the path that we have to take before you can say that Mr. Volchek is guilty. You've seen the TV coverage of this trial; Mr. Volchek is regarded by many to be the head of the Russian Mafia. Our main witness will tell you about life inside the Bratva, the Russian name that's given to these criminal organizations. Indeed, ladies and gentlemen, you will see that the defendant faces a mountain of evidence against him.” As expected, she threw a manicured hand at her team's table as an illustration. They probably had two or three copies of the evidence on that table and probably not that much of it proved Volchek was a murderer. However, it was the impression that counted.

She continued. “And that is what you have to evaluate—the evidence. Not the press coverage. I'm going to tell you a little bit about our case now and about the expert witness who will tell you that Mr. Volchek ordered Mario Geraldo to be killed.”

I had no clue what expert witness Miriam was talking about, but I had an inkling that this was her opening witness, her shot at revoking Volchek's bail.

“But more important than the expert in this case is the man who actually pulled the trigger. That man will tell you that his boss, the head of the Russian Mafia, Olek Volchek, ordered him to kill Mr. Geraldo. That man, the man who shot Mr. Geraldo, is under FBI protection. His old and new identity will be protected in these proceedings because as a former member of the Bratva, this man is living under a death threat. In this trial, this man will be known as Witness X.”

Miriam paused for effect, allowing me time to read over the notes I'd just written. I reread the phrase *This man is living under a death threat* and underlined it. Twice.

CHAPTER EIGHT

Miriam talked for an hour about the burden of proof. She explained to the jury that they must be satisfied of Volchek's guilt beyond a reasonable doubt. The jury nodded throughout this portion of the speech, and Miriam went on to explain what pieces of evidence would satisfy that burden.

"Ladies and gentlemen of the jury, the first witness you will hear from the prosecution will be Dr. Irving Goldstein, the eminent forensic document examiner. He is a man who examines pieces of handwriting to determine who created them. Dr. Goldstein knows the defendant's handwriting from public documents that we, the prosecution, have obtained. He can then look at another sample of handwriting and determine with scientific accuracy if the defendant wrote it or not."

Those expensive high-heeled shoes of Miriam's clicked over to the prosecution table, where she picked up what looked like some form of currency in a sealed plastic evidence bag.

"This is prosecution exhibit twelve. This is an old, one-ruble bill that has been torn in half. One half is unmarked; one half has a name written on it in marker pen. That name is *Mario Geraldo*, the victim in this case. Witness X will tell you that he was given one half of this note—the unmarked half—by his boss, the defendant, Olek Volchek, and when he was subsequently given the other half of the note with the victim's name on it by an unknown messenger, that was his order to kill the victim. Witness X will tell you that this was the MO for the Russian mob; this was how the orders to kill were handed down by the defendant. How do we know the defendant wrote the victim's name on the bill? Well, that's where Dr. Goldstein comes in. Dr. Goldstein will tell you that the handwriting on this note matches exactly with the defendant's handwriting."

Miriam paused, the note still held aloft in her hand. This was the game changer. This evidence would blow his bail for sure. Several of the jury members fixed Volchek with a stern look.

I rocked back in my chair and folded my arms before whispering to Volchek in the seat beside me, “Lean back. Smile. The jury is looking at you. Pretend that you’re relaxed. The jury will think we’re not in the least concerned about this evidence and that we’ve got it completely covered.”

We both smiled.

“You’re shitting me, right? How the hell did you get bail in the first place?”

“The prosecution didn’t have this evidence for the arraignment. They only produced the handwriting report at the beginning of the year,” said Volchek.

I thought for a moment. “Why the hell would you write down an order for a hit? That’s the stupidest thing I’ve ever heard. Tell me she’s lying and we’ve got something to challenge this,” I said.

Volchek’s smile disappeared. His brow furrowed, and his voice deepened. “Do not presume to know anything about me or how I run my business. This is the old way. Back in Soviet Union, the gangs ran wild, but there was always loyalty to the boss. That loyalty did not always extend below, to the *vor*—what you would call the soldiers. If a soldier wants to move up in the Bratva ranks, the easiest way is to kill his biggest rival. But he cannot do this himself. Instead he uses other soldiers. He tells them that the boss, the *pakhan*, has ordered the rival to be killed. The other soldiers obey absolutely, and the *pakhan* knows nothing until it’s too late. I’ve seen entire Bratva kill one another in this way. I use the old way to make sure this does not happen. The old way is this,” he said, pointing to the exhibit just as Miriam lowered her hand and slowly walked back to the prosecution table.

He continued. “The only man who can order a hit in my organization is me. I control all kills. This way I do not start wars with other gangs, and I make sure my men do not kill each other. To do this, I have one man who is my torpedo.” He pronounced it *tor-pedd-o*. “It is old Soviet name for hit man. This man comes to me and me alone. In front of him, I tear an old, one-ruble bill in half. I give him one half of the bill. In this way, he becomes torpedo. When I need a man killed, I write down that man’s name on my half of the bill and it is sent to torpedo. He will check if his half of the bill matches the one he has been sent. If they are a match, he knows the

order is real and that it comes directly from me. In this way, the old way, my men have trust from me and I have total loyalty from them.”

“And this Witness X, Little Benny, he was your torpedo, right? So why the hell did he keep the note?” I said.

“In Soviet Union we called a one-ruble bill *tsebkov*, meaning *the whole one*. It means that the torpedo has my whole heart in trust and loyalty forever. The torpedo is supposed to burn the bill after the job. Most do not. They keep their rubles. Old ruble bills can be hard to find these days. They are like a badge of honor. Some even have the one-ruble bill tattooed on their backs. I do not allow tattoos. We wear our pride in our eyes, not on our skin.”

I couldn’t react in case the jury saw me, but I wanted to put my hands over my head and scream. The courtroom no longer felt huge. It felt small and public and dangerous. I wondered where Amy was being held. Was she, too, feeling enclosed, trapped, and afraid? If I let myself wonder what was happening to her, I would go crazy.

Instead I started thinking. “Pass me the case files,” I said.

Volchek looked into the suitcase. He seemed to be looking for a particular file. He found one and handed it over. It said DOCUMENT EXAMINERS on the spine of the folder. I began flicking through it. Volchek had gone to nearly every major criminal defense firm in the state and gotten reports from several forensic document examiners. The index to this file said there were eleven such expert reports. Volchek must have been desperate. I flicked through to the concluding summary of each one of the reports. They all said the same thing—in their opinion, Volchek wrote that name on the ruble bill.

Miriam continued her opening statement.

“Ladies and gentlemen of the jury, you will also hear from the victims’ family. You will hear from Tony Geraldo, the victim’s cousin. He’ll tell you about his cousin’s dispute with the defendant. He’ll tell you about the threats that the defendant made to Mario Geraldo’s life. He’ll tell you he feared the defendant would kill his cousin or arrange for his murder.”

That name, Tony Geraldo, seemed to stir some memory for me, but I was so wired that I couldn’t trace the thought. Miriam stepped into a nice rhythm.

“You’ll hear from the police officer who arrested and interviewed the defendant. You’ll hear this officer describe his investigation . . .”

My interest trailed off. I'd found the witness list in the file of papers. In all, we would hear from five witnesses. A small, tight, well-prepared group. Miriam avoided the usual machine-gun approach to prosecution, which relied on the hit-and-miss tactics of *just keeping going* with witness after witness after witness and something somewhere is bound to stick. She knew better than that. The forensic document examiner, Dr. Irving Goldstein, was the first witness. A good strategy, I thought. Get the boring bit out of the way and put a smoking gun in the hand of the defendant on day one. But I saw this as my biggest chance. Volchek must have spent a fortune getting all those reports and paying all those lawyers only to get back the same result every time—*It's your handwriting*. As far as he was concerned, this witness was a lost cause. He couldn't find another expert to challenge Goldstein's evidence. Every single lawyer that Volchek retained had told him that Goldstein was watertight.

I had no choice. If Dr. Goldstein was as good a witness as Miriam hoped, Volchek could have his bail terminated within a few hours, and Amy would pay for that with her life. I had to destroy Goldstein's evidence. If I could do that, I accomplished two things. One, I would get my remaining twenty-eight hours to figure my way out of this, and two, the Russians would begin to trust me. If Volchek thought I was busting a gut to keep him out of jail long enough to kill Benny, then he wouldn't notice me cramming that bomb up his ass first chance I got. But before the con, I needed to gain his trust.

In the confidence game, we called it a *persuader*.

Miriam wrapped up her speech. "And, ladies and gentlemen, if you consider this simple proposition to be correct, then you *must* find the defendant guilty. We will show you his guilt and you *must* convict him."

Miriam sat down. The jury looked tired.

Judge Pike said, "Mr. Flynn, will you be addressing the jury now or at the conclusion of the prosecution's evidence?" I slowly rose from my chair and said, "Your Honor, the jury will want time to absorb Ms. Sullivan's speech. Might it be preferable to give them a break and allow them some time for refreshments? I will need to take some instructions from my client before I address the jury."

This was my usual tactic and one that most defense attorneys employed. I always liked to speak to my client after I'd heard the prosecutor's opening. It was usually only then that the defense got to hear what kind of spin the prosecution was putting on the evidence. That meant checking with the

defendant again, to see if any of what the prosecutor said was true. I also wanted the jury to like me. They'd sat for almost two hours listening to Miriam. I wanted to be the savior. I wanted them to see me stand up, say something quick and get them coffee and pastries. I'm concerned they might need a break; I'm caring, connecting, and listening to them. Pretty soon I would be the only show in town.

Miriam saw my shot at wrestling the jury from her spell and tried to take back their favor. "Your Honor, I fear I may have gone on too long this morning. Perhaps instead of coffee, we could break for lunch?"

"Back here in one hour," said Judge Pike.

The courtroom began to empty, and I felt a strong hand on my shoulder. Arturas said, "We'll go upstairs to talk."

I didn't have time to talk. I had one hour to read eight thousand pages, prepare the greatest opening speech and the greatest cross-examination of my life. I shifted around in my seat and looked at him straight. "We can talk later. I have to work. And I need your help."

CHAPTER NINE

Victor closed and locked the door of the reception room that we'd occupied earlier, up on the nineteenth floor. Arturas stood with his arms folded and tapped his foot. He was nervous and angry. His boss simply folded himself into the couch and watched.

"I need a laptop or a smartphone with Internet access," I said.

"What for?" asked Arturas.

I ignored Arturas and spoke directly to Volchek—he was the client; he needed the answers, and he called the shots. "Your other lawyers tried to get expert testimony to challenge Dr. Goldstein directly. They wanted another handwriting expert to say that the murder note couldn't have been written by you. I saw the bundle of reports in the case file; they couldn't get anyone to offer that opinion. That's because that opinion doesn't exist. Not legitimately, anyway. You could probably get an expert to say that the handwriting *may* not be yours, but those guys don't have Goldstein's credentials, and when it comes to a Mexican standoff with expert witnesses, the one with the best résumé usually wins."

Volchek nodded. He seemed to be buying it, but Arturas wasn't. "What can you do? The other firms had months to challenge this evidence. What can you do in one hour?" said Arturas.

"Well, I have to do something. If we let this evidence go unchallenged, Miriam Sullivan will have your bail canceled, and you'll be in handcuffs before Goldstein gets his ass out of the witness box. That means you don't get the luxury of being able to jump on a plane tomorrow if this all goes to shit."

I could hear Arturas grinding his teeth. His lips curled up in a grimace as he began shifting his weight from foot to foot. He'd been planning this

caper for a long time, and he didn't like intangibles. But that was trial law. Stepping into a courtroom is just like going to Vegas and rolling the dice—anything can happen. Volchek continued to listen. It was his liberty at stake.

“You don't need me to tell you what the outcome will be if an accused goes into custody and something happens to a state's witness. There is no way you will get out on bail until a full investigation has been done and you've been cleared. How long is that going to take? Two, maybe three years? Anything can happen on the inside. The state might not be able to link the bomb directly to you, but that doesn't mean they won't put you in a cell with a four-hundred-pound cannibal. And that's if you can avoid the cartels' soldiers. Yeah, your buddies in the courtroom will get to you on the inside real easy. I can take the fall if it means Amy is safe. I can live with that. Better than the alternative. But if you go to prison—you lose.”

Volchek exchanged glances with Arturas. He smoothed his pants and tried to swallow down a knowing grin. Despite what I'd just said to Volchek, I knew they weren't going to leave me or Amy alive at the end of this. They didn't want me telling the FBI about my daughter being kidnapped and my being forced to plant a bomb in the courtroom. But I needed to let Volchek and Arturas think that I had bought their bullshit story.

“I still want to know what you can do that the other lawyers couldn't,” said Arturas. A fair question, and I gave him a simple answer. “The other firms were trying to counter the evidence. That's the wrong approach. It's like football; say you're a small, broke football team and you come up against a rich team with a great quarterback. You can't win in a straight contest. Me, I don't hesitate. If there's some gifted, lightning-quick man mountain that I can't compete with, it's real simple—I take him out of the game. I cripple him. I tackle him so hard and so fast he isn't going to wake up until the season's over. It's an old saying—sometimes you have to play the man instead of the ball. Litigation is the same; if I can't destroy the evidence, I have to destroy the witness giving the evidence. If the jury don't think Goldstein's credible, it really doesn't matter what he says. I need the Internet to dig on him. Look, it's not like we've got a choice. Either help me, or I'll hold your coat while the court security officer puts you in handcuffs. It's that simple.”

Volchek and Arturas nodded in agreement.

“What will you find in an hour?” said Arturas.

“I won’t know it until I see it.” I really didn’t know. But I had an idea where to look. I could see a smile attempting to force its way through Volchek’s lips. He looked intrigued.

“Okay,” said Arturas, taking out his iPhone. “You tell me what to look for.”

“He’s from the University of Wisconsin. Start with his university bio and then a list of his work. Let me see his published articles for 2000, 2004, and 2008.”

“Why?” asked Arturas.

“If you’re cross-examining any academic witness, you have to look at their publications for those years. Those years were the ARAE : the American Research Assessment Exercise. The more articles published by academic staff in the ARAE, the more funding comes to their university and the more money those nerds take home. During those years, everyone writes articles like crazy, and perfectly reasonable academics write crap that they wouldn’t dream of writing ordinarily. Writing for volume does not promote good theories, and pretty soon they’re writing papers on fairies and UFOs. Back then articles meant cash. So if there’s anything out there that will give us something on Goldstein, that’s where we’ll find it.”

I’d cross-examined a few academics and I’d learned all about the ARAE some years ago. It never failed to give me ammunition. It’s just like everything else in life—you follow the money and it always takes you to where you need to go.

While Arturas looked online, I read through Goldstein’s expert report. I’d once represented Archie Mailor on a check fraud indictment, so I had read reports like this before. Archie had been my counterfeit guy when I was running my insurance scams. He had talent. IDs I got from Archie were usually pretty good. During his case, I had to cross-examine a forensic document examiner who testified about Archie’s handwriting and the fraudulent checks. I had a little knowledge of what these guys looked for, but I hadn’t thought about it for a long time. What I remembered was that they tended to look at the capital letters at the beginning of words. From scanning Goldstein’s report, I saw that he had indeed focused on the capital “G” at the start of “Geraldo,” which Volchek had written on the bill in marker pen. Behind Goldstein’s report, I found a statement from a CSI. He had analyzed the one-ruble bill for fingerprints. Apparently, Little Benny’s fingerprints and those of the custody officer at the precinct who handled

Benny's property had either obscured or wiped out all other identifiable prints.

Arturas took seven minutes to find the right page on the university's website—*List of Publications 2008*—nothing. We checked 2004 and nothing leaped off the page.

We hit 2000 and there it was, staring at me like gold in a panhandle. Goldstein, like most academics, wanted the greenbacks while they were hot. He'd written half a dozen stupid articles to boost his volume, standing, and pay.

And he'd written one particularly bad one. That gave me a great idea.

"I need this article printed out. I need a photocopier, paper, hot coffee, and to be left the hell alone," I said. With Arturas listening in, I called the judge's clerk, Jean, on Arturas's iPhone, and I sweet-talked her into printing the article for me. I told her I owed her a box of doughnuts and told her where to find the article online. I thought that Miriam probably didn't even know Jean's name. Most hotshot lawyers ignore court staff that they would call the "little people." They did so at their peril and at their cost. Most of the time, the little people were, in fact, the best people.

I had peace in the chambers at last. Victor was in the outer reception, trying to turn on the photocopier. Once he got it working, I would just need to photocopy a couple of pages and blow them up so the jury could take a better look. I spread out some papers on the desk and stared into space, letting the plan come to me. My head still hurt from the punch I'd taken to the back of the head in the limo. If I was to even attempt to double-cross the Russians, I had to put them at their ease, get them to trust me—so they would stop looking over my shoulder. My dad told me you can't con an honest man, but the hard part was getting the dishonest mark to trust you. Good fraud was all about trust.

"Volchek," I said. He gestured for me to sit next to him on one of the couches. "Your former lawyers were all excellent, talented professionals. You don't need me to tell you that, right? You know these guys are at the top of their game. They told you the handwriting expert would kill your defense."

Volchek's every action seemed halting, considered, planned. It was almost as if he'd taught himself restraint in order to mask his true nature. He lit a cigar and let it burn down while he thought about his answer. Finally, he said, "They told me that, on its own, it's not enough to convict me."

“Right, but they didn’t tell you it might be enough to blow your bail and get the prosecution a retrial, even if Benny’s dead.”

He said nothing. I pressed on.

“And your old lawyers had months to work on this guy’s evidence, right?”

“Right.”

“They couldn’t challenge him, right?”

Volchek sighed. “Right. What’re you getting at?”

“I’m going to obliterate the expert’s evidence, and you’re going to give me a chance to win this case without making Little Benny into soup.”

I told Arturas to let Volchek read Goldstein’s paper. He flicked through the article on Arturas’s iPhone, and cigar ash fell over the screen.

“This is nothing. How does this help?”

“Leave that to me. If I wipe the floor with this guy, you’ve got to give me a shot at Benny. I’ll do whatever it takes to save my daughter. She’s my world, my life, and I’ll go to jail to protect her. But I’m not relishing spending the rest of my life in an eight-bysix. Give me a shot at Benny. Let me cross-examine him, and if it doesn’t go well, I’ll press that button and blow him to hell myself.”

The first rule of the hustler’s bible—give the people what they want.

Before he whipped his head around to Arturas, I saw fire in Volchek’s eyes. He didn’t want to have to blow up a witness in live court. The risk was huge. Running was just as big a risk. He’d given up all hope of winning this case a long time ago. And I was giving that hope back to him.

“There is no chance you can win this case, lawyer. Better, smarter lawyers looked at all of this before,” said Arturas.

“It doesn’t cost you anything to let me try. At least with Goldstein, I have no choice. I’ve got to work on his evidence or your boss loses his bail.”

The room became silent. I could hear Victor’s heavy breathing. The hum from the photocopier fans. A car horn outside. Volchek wanted this, I could tell. I was the answer to his prayers.

“There’s one more thing,” I said.

“What?” barked Arturas.

“You haven’t brought me my coffee yet,” I said.

Tipping the ash from his cigar onto the floor, Volchek said, “Victor, get Mr. Flynn some coffee.”

CHAPTER TEN

Lunch had taken an hour and fifteen already.

I checked my watch and saw twenty-six hours left on my clock. The watch was a twenty-dollar digital with an LCD display. Cheap, nasty, and I loved it more than any other watch that I'd ever owned. Amy and I shared the same birthday—September first. I had picked her up on the morning of our last birthday and taken her shopping. Christine and I had been separated since late June. I'd felt awkward going to the house in Queens that I'd once shared with my family, and Amy and I went out instead. I'd had no idea what to buy for a ten-year-old, so I thought she should pick something out. As we passed a little jewelry store off Broadway, I felt Amy tugging at my sleeve. In the store window she saw digital watches for sale. We went in and she said she wanted two exactly the same—one for me and one for her. I told her I already had a watch, a gift from her mom. She put her mane of white-blond hair on the glass counter and studied the watch she'd chosen. Christine often worried about how serious our daughter could be; I hadn't listened. I thought Amy was just more mature than most girls her age and that she had an adult's intelligent curiosity.

Amy curled her little fingers around the watch and said, "Daddy, you're going to stay with the doctors to get better, right?" She was talking about the residential alcohol clinic that I'd tentatively signed up for, at Christine's insistence. The store clerk walked in back, giving us some room.

She whispered the rest of her plan, like it was our secret. "Well, I thought if we both got these watches, we could set the alarms for eight o'clock. Then you would remember to call me and we could like, talk, or you could, like, read me a story, or something."

She was so sincere, so earnest. And although she was tall for her age, and impossibly cute and even mischievous at times, the beauty in her heart shone out of her in everything that she did. Her kindness saved my life that day; if we hadn't bought those watches on our last birthday, I wouldn't have made it through rehab. Every night, our alarms went off simultaneously at eight, and I called her. I had called her from the clinic, and I had read *Alice's Adventures in Wonderland* to her over the phone. She was much better at being a daughter than I was at being a parent.

Sitting at the defense table, I tried not to play with my pen; it made me look nervous. Jean had left Goldstein's ARAE paper on my chair.

This judge took her sweet time because she could. The courtroom largely consisted of reporters. Due to the perceived threat on the life of Witness X, there would be no televised coverage of this trial, just print reporting. Judges were always sensitive when it came to cameras in the courtroom. Most didn't like being filmed and would happily rely on any old reason to exclude the cameras. There wasn't even any CCTV in the courtrooms. No judge wants to be recorded saying something stupid when they're off their guard.

I could sense the anticipation in the room. Everyone who'd heard Miriam's opening knew this was a no-hoper of a defense case. The Asian gang leader that I'd seen earlier was already shaking his head, wondering what the delay was. Surely Volchek should have been found guilty by now.

I couldn't think about Amy any longer. If I did, I'd go crazy. Volchek sat beside me in the defendant's seat. Arturas and Victor were behind us.

I swallowed back my emotions, my fear, my doubts, and I turned to look at the menacing face of my client.

"Where's my daughter?"

"She's close by, and she is well. I check in from time to time. She's eating potato chips and watching TV. You keep doing okay, maybe I let you see another photo," said Volchek.

Another few minutes passed and there was still no sign of the judge. My opening speech would be simple, but my cross-examination of Dr. Goldstein worried me. I played the cross-examination in my mind—question, answer, question, answer, over and over, trying to perfect my style.

"You," said Volchek. "I hope this delay is not down to you." He wore an accusatory look. Running a persuader on this guy would be tougher than I'd

imagined.

“You know, my father was a war hero,” continued Volchek. He looked at the ornate ceiling of the courtroom as he recalled his parent. “He killed a whole sniper team single-handed in battle of Stalingrad. Stalin decorated him personally. My mother was a Polish Jew, liberated from the camps, and she fell in love with my father—the hero.” His features softened as he thought of his mother, and his voice seemed to drop and drift in tandem with his recollections. “She gave me the name ‘Olek.’ It means *protector*. She didn’t live long after the war.”

“Too bad. Tough in Russia, huh?” I said. I wanted to tell him that once I’d gotten my daughter back, he wouldn’t live long either.

“My father drank after my mother died and lost both legs to diabetes. I would wheel him around the bars in east Moscow with his medals shining proudly on his chest while he sipped at a bottle of vodka. I was only twelve, not much older than your daughter. I was proud of my father.”

His eyes took on that bitter, almost predatory aspect as he said, “That pride faded when he got really drunk. Then he wanted to fight. The lion in him didn’t remember that his legs had gone. He would start trouble; then he would realize he couldn’t stand, and he would say, *My son will fight for me*, and I would have to fight whatever drunk or pimp he’d insulted. Maybe he wanted me to live up to the name my mother gave me; maybe it kept a piece of her alive for him. When I turned sixteen, I killed him, sold his medals, and bought my first gun. But I loved him. I always loved him. If I lost a fight, the beatings he gave me were bad; his disappointment was worse. If you disappoint me, lawyer, your daughter can fight for you.”

I wanted to take his head off. I focused my anger, locked my eyes to his, and said, “You know a lot about me from watching my movements. You probably know where I live and what I’ve been doing for the last few months, but you have no idea what I’m capable of in a courtroom. All those other lawyers you saw, they don’t know how to work over a witness like me. They don’t know how to get the prosecution to make mistakes, and they don’t know how to marry a jury to your cause. I do.” I stood up now, unable to contain myself, and I bent over him to ram this home. “This witness is more than enough to kill your case and your bail. I’m going to stop him, and you’re going to give me a shot at Little Benny. You need to understand something. You don’t need a bomb to win this case. You’ve already got one—I’m the bomb.”

As I spat those words at Volchek, I could feel the hairs on my neck prickling; I could feel my shoulders tightening, a feeling I'd had before, a feeling that had eluded me in the bathroom that morning when Arturas put the revolver to my back. Hustling for a living is no joke. You develop an instinct for danger, a sixth sense that keeps you one step in front of the mark and the cops. If you don't listen to that voice in your head, you either die or you go to jail. Everyone has that instinct but not many embrace it. We've all had that feeling of being watched, of sitting at a bar and knowing that behind you, someone was boring their eyes into the back of your head. It's those instincts that con men tap into. They hone those feelings and learn to trust them. My alarm bell rang loud at that moment. My early-warning system usually let me know when I was being watched, when I'd been made, and when it was time to run.

In that second I knew I had eyes on me other than Volchek's.

My head came up instantly to scan the room. The crowd were talking and laughing in nervous anticipation of the battle that was to come, like a ravenous mob eager for the first sight of blood in the bear pit. I focused on the back wall, letting my peripheral vision pick up inconsistencies in my view. That's when I saw him. A man unlike the others; he wasn't nervous; he wasn't talking. He was perfectly still—a statue in a sea of movement.

As soon as I saw him, I knew instantly why I'd felt his singular presence in the mass of people. Out of the hundred or so people in the benches, he alone sat motionless, staring at me intently.

And I knew why.

His name was Arnold Novoselic. I'd come across him about four years ago and I'd never forgotten him. This in itself was not to be expected, as Arnold had a rare and undervalued quality; he was inconspicuous, a nobody among nobodies, an innocuous man in a city of isolated souls. His hairline receded almost to the top of his fat neck. He wore the same brown suit, ivory shirt, and big, black-rimmed glasses that he'd worn when I'd first met him, but it wasn't his appearance that made him memorable. In fact, Arnold took great pains in crafting his appearance with the deliberate intention of being as unmemorable as possible. His appearance and the indifference it inspired in others was his hiding place, his armor.

I knew that Arnold's gifts lay in observation. As a natural voyeur, he always looked out, paying little attention to himself, and maybe because of that, no one paid attention to him. A gift well suited to one of the best jury

consultants in the business. He could tell what way a particular juror would vote, how social dynamics worked within a jury, who were the leaders of the group, and who would follow what vote. He did this through personal study, statistical analysis, racial profiling, and one particular skill that Arnold liked to keep secret.

I'd met Arnold four years ago, when he'd interviewed to be a jury consultant in a case that I was preparing against a pharmaceutical company. I remembered that I'd been unimpressed and a little creeped out by Arnold Novoselic in person. On paper, Arnold clearly had the best results in his profession. He never missed a call. In every case he'd ever done, he had predicted the jury's verdict precisely. That worried me, but what made me even more suspicious was the fact that in four cases in which he'd consulted, he'd been able to accurately predict each juror's verdict *before* they were polled. That meant he'd achieved one hundred percent accuracy four times out of four. I knew that in the jury business, there was no such thing as perfect predictions. So I'd asked him there and then, in my office, what was his secret.

Arnold knew he couldn't hide anything from me, and for once, he told the truth. He told me his secret. While other jury consultants merely wondered what the jury was saying, Arnold knew precisely what they talked about because Arnold was a gifted lip-reader.

Juries aren't supposed to talk about the case anywhere except in the locked, and very private, jury room. In reality, they talked to one another almost constantly. They whispered their comments on witnesses to one another and even swore at crucial points of the case. Arnold saw and read all of that. And used it.

Looking past Volchek, my eyes focused on Arnold as he sat twenty-five feet away. As much as he liked to hide himself away from the public eye, he couldn't hide either himself or his expression from me. Fear almost dripped from his fat little nose. I knew then that Arnold had lip-read my conversation with Volchek. Arnold knew about the bomb for sure. But I didn't know why Arnold was there, or what he might do with that information.

I looked back at Volchek and said, "Give me a minute. There's somebody I have to talk—" But I couldn't finish my sentence; everyone in the courtroom stood up for Judge Pike as she made her return to the bear pit.

CHAPTER ELEVEN

“Mr. Flynn, if you’d like to give your opening statement, please,” said Judge Pike.

Pikey was in a fine mood today. She had a big media-hungry case and a chance to advance her career by putting away a known Russian gangster.

The opening statement is always important. It’s your chance to frame the case for the jury. Miriam had hit the jury with a lot of information. She told them there was more than enough evidence to convict. She sounded like a real person, not a lawyer. I had to change that. I stood up and immediately began fidgeting with my jacket. The bomb felt awkward and heavy and somehow hot. My back was sweating even though I felt quite cool. My hands shook a little as I tilted the jug to pour myself a glass of water. After a long, cold drink, I felt ready. Miriam sat poised to take copious notes of the defense case. Her expert witness, Dr. Goldstein, sat three rows behind Miriam. He wasn’t expecting to give evidence until later this afternoon or tomorrow morning. I recognized him from his photo on the university website. If possible, he looked like even more of a super-nerd in person than in his terrible photograph.

I turned to the jury and gave them a smile.

“Members of the jury, it’s a pleasure to be here with you all. Ms. Sullivan spoke today for around two hours. I will speak now for around two minutes.” A ripple of laughter from the jury. “This case involves a terrible crime. It’s for the prosecution to prove to you that Olek Volchek committed this crime. If, at the conclusion of this case, you have reasonable doubts about whether Olek Volchek committed this crime, then it’s your solemn duty to acquit. But it’s your choice. Ms. Sullivan *told* you to find Mr. Volchek guilty. We won’t *tell* you to do anything. We will *ask* you to

consider the evidence, we will *invite* you to consider our view of the case, and we will leave it to *you* and *your* good judgment. And that's all I have to say at this point."

I sat down.

In a criminal case, there are two doors for a jury to walk through : guilty or not guilty. Miriam tried to push the jury through her door. I wanted to hold my door open for them and welcome them in. Juries behave just like every other person on the street—they don't like being pushed into anything; they like having a choice.

Dr. Goldstein looked nervously at his papers. The more surprised and off balance he became, the better it was for me. At that point I had a choice before me—I could play it safe or set a trap for Miriam. The trap was a risk that could easily backfire. On the other hand, if it worked, it could win me favor with the jury.

I took my chances.

I leaned over to Miriam, and Arturas strained to hear what I said. I'd told him to look out for it, that I might do it if it felt right. I didn't want to give the impression I was letting Miriam in on the bomb.

"Goldstein—he's a graphologist. Don't call him, or you'll regret it," I said.

"What the hell is a graphologist?" asked Miriam, as I'd expected. I had my answer already lined up for her.

"Goldstein is a forensic document examiner. His job is to determine authorship from a sample of handwriting; it's a scientific analysis. Graphology tries to interpret the author's personality from his handwriting; it's a bunch of shit. It's like a Christian archaeologist who digs up dinosaur bones testifying that the world is only five thousand years old. You can't be in both schools at once; it's hypocritical. Don't call him."

I sat down.

She would call him.

A look of anger spread over her proud features. The judge looked at her. I'd finished my opening. It was time for the prosecution to begin their evidence. I'd thrown Miriam off guard. Goldstein looked to be the only prosecution witness in court. She stood up.

"Your Honor, I call Dr. Irving Goldstein."

Surprised at hearing his name so soon, Dr. Goldstein quickly folded his papers, buttoned his jacket, and moved forward. The smirk spreading across

his face failed to mask his nerves. After all, this was the biggest case of his career. If my work paid off, it would be the last case of his career. He tripped over the leg of a chair on the way to the witness stand and held tightly to his papers. The report was his rock, and he clung to it. He had every right to feel confident, as his report was accurate, well written, and true. I couldn't challenge a single word of it.

Without anyone knowing it, I'd relied on Miriam being predictably brilliant. I thought of her as a great trial lawyer. She would do the same thing that I would do in her situation. I would take my opponent's best point and I would use it. I would ask the doc about graphology. I could control the question, make it sound normal, ordinary, even boring. I could give him all the time in the world to explain his answer fully, throwing out my opponent's best point like a dirty rag. Miriam would do the same thing.

I counted on it.

CHAPTER TWELVE

Goldstein was in his fifties, and it looked to me like he'd been fifty for around thirty years. His suit looked older than him, and to top it all, he wore a bow tie.

He stood for the oath. Adjusting his glasses as he read the card, he carefully recited the words that put him in my domain. Pouring himself two glasses of water, he settled down for a marathon session on the stand. Miriam would be quick with Goldstein. A good lawyer should be fast with all expert witnesses because, more often than not, they're just boring as hell. Their evidence is vital, but they're just pretty awful at explaining it so you have to keep it brief : *Who are you? Why are you smarter than any other guy in your field? Tell us what we need to know and then shut the hell up.* Miriam probably told him he would be in the box for a day. He didn't know he'd be in and out in an hour or two.

Miriam held Goldstein's report before her as if the paper itself were steering her toward the truth and Volchek's conviction.

"Dr. Goldstein, please outline for the jury your particular expertise and any relevant qualifications you hold," said Miriam. Her question was designed to settle the doc. *Tell these people on the jury why you're so smart.* It gets the doc talking, eases him in.

"I'm a forensic document examiner. I analyze handwriting to determine the identity of the author. I have studied at . . ." And away we go for five minutes on the doc's brilliance. I let this go. The more he told the jury how smart he was, the more he would look like an idiot when I tore into him. The doc started to look a little nervous, probably thinking that he'd been talking for too long. He began playing with his bow tie. Miriam read the signs and stepped in to save him.

“Thank you, Doctor. That’s an impressive résumé. Please explain to the jury why you were engaged by the prosecution in this case.”

“Of course. If the jury would turn to bundle D, page 287, you will see a copy of the murder note. These are the two halves of a one-ruble note with the victim’s name written on one half. I am instructed that this note was found in the car driven by Witness X. I was instructed that Witness X will testify as to what the note means and its significance to the victim’s murder. I can’t comment on that. I was engaged by the prosecution to determine whether or not the handwriting on the note belonged to the defendant.”

Miriam paused to let the jury find the page. Let them see the note. See the handwriting.

Mario Geraldo.

“Doctor, tell us how you examined this note.” Miriam was careful to use the word “doctor” as often as possible without annoying the judge. The repetition of an expert’s official title helped build confidence with the jury.

“This is the disputed handwriting. The defendant does not concede that this is his handwriting. To determine if this disputed handwriting belongs to the defendant, I conducted a scientific analysis of the defendant’s known sources of handwriting for the purposes of forensic comparison.”

“Where did you obtain this evidence of the defendant’s known handwriting, Doctor?” asked Miriam.

“From tax returns, social security records, passport applications, citizenship applications, and other publicly filed documents bearing the defendant’s signature and or handwriting.”

“And what did you discover from your *forensic examination*?”

“I determined that there were distinct and unique characters or, as you might call it, letter formations present in all samples, including the disputed sample. In other words, the way he formed the letters and the particular and distinct manner in which he moved the pen to create the individual letters was enough to identify a definitive pattern of handwriting. From this I am able to say with a considerable degree of certainty that the defendant is the author of the note you see before you.”

The big point. Like a good lawyer should, Miriam paused and looked at the jury, letting it sink in.

“Give us an example, Doctor, would you please?” said Miriam.

“Sure,” said Goldstein, who fetched a blowup of the letter “G,” which he explained was the letter “G” at the start of “Geraldo” from the disputed

handwriting source. He also produced several slightly smaller copies of similar-looking letter “Gs,” which he explained were from known sources of the defendant’s handwriting. He placed all of the enlargements on the wide A-frame easel for the jury to consider.

“When one looks at the construction of the letter ‘G’ from ‘Geraldo,’ one can see there is a pronounced tail on the ‘G,’ which is formed with a continuous unbroken line descending from the top curve of the character. The character or letter is then finished with a horizontal dash beginning inside the curve of the ‘G’ and moving from left to right and slightly ascending. This letter or character is constructed identically in all the samples I examined, including known samples of the defendant’s handwriting. Therefore I’m able to say, with a large degree of certainty, that it was the defendant who wrote the name of the victim on this one-ruble bill.”

“To what degree are you certain, Doctor?”

“Ninety-five to ninety-eight percent certain.”

“How can you be so certain?”

“This character has such a unique and consistent construction throughout all of the handwriting I examined. The note could only have been written by the defendant.”

“Doctor, what is graphology?” she asked.

Miriam could have played out Goldstein’s evidence for the rest of the day, but she couldn’t afford that luxury because she’d taken up too much time in her opening statement. She had to keep things moving for this jury. Besides, Miriam no doubt believed I would take hours with the witness. Taking a long time cross-examining the expert is believed, by some lawyers, to be the best way to disable an expert witness. Trot out every theory; confuse, obfuscate, and argue with the expert about everything until the evidence becomes meaningless and dull. I didn’t have that kind of time. Neither did Amy.

Dr. Goldstein appeared to be a little taken aback by Miriam’s question, but he did manage a smile despite the obvious discomfort it caused him. He shifted in his seat, crossed his legs, and wetted his lips. Graphology must have been close to his heart, and he obviously knew it was a possible line of attack.

“What is graphology? Well, it’s a term used to describe an examination of handwriting and what it reveals about the author in relation to personality or

sickness or psychosis. It's not concerned with determining who wrote a particular document. It's more about interpreting the personality of the author."

Go on, Miriam. Ask him. You know you want to, I thought.

"Doctor, some would say a single individual who practices both forensic document examination and graphology would be like having an archaeologist who's a born-again Christian testify that the world is only five thousand years old. In other words, it's a contradiction."

Bingo.

"Objection, Your Honor." I jumped to my feet, and despite my joy at hooking Miriam, I did my very best to look pissed as all hell.

"On what grounds?" asked the judge.

"On the grounds of religious belief, Your Honor : I believe in God, and I don't want my beliefs questioned by the prosecutor; nor do I think it's right that the Lord Jesus Christ, our Lord, should be dragged into a legal argument by the prosecution. It's a discriminatory statement against Christians; it implies an atheist belief on behalf of the prosecutor, and it's against the constitutional right to religious freedom. No matter what the prosecutor might believe, it's wrong to impose those beliefs on others or ridicule my beliefs to prove a point."

Miriam looked like she wanted to kill me. I didn't blame her. It was nasty, and she'd fallen for it.

The jury looked like they would happily carry me home on their shoulders. I'd banked on a Christian jury in this part of town, and I was right. Four jurors wore crucifixes. Finding a juror's idol and holding it before them is the surest way of getting them on your side. You just need to find the right idol. If I were in Vegas, it would have been Elvis, or Sammy Davis, Jr.; in football-crazy Texas—Sammy Baugh; in Oklahoma—Mickey Mantle. In this part of New York, something liberal and Christian works every time. Most of the jury smiled at me, but the ones who weren't were too busy giving Miriam dirty looks.

Big score.

But the judge was not at all impressed. She saw that coming a mile away.

"Ms. Sullivan, perhaps you could consider rephrasing your last question," said the judge.

Miriam was done.

"Nothing further, Your Honor."

CHAPTER THIRTEEN

On my feet, behind the defense table with my props ready, tucked underneath the desk like a cheap magician, I suddenly became conscious that I hadn't prepared, that I could fall flat on my ass at any second. I told myself to take it slow. My eyes closed for a moment. Just enough time to take in a deep breath, and yet I knew I would see her in the dark. Hanna Tublowski. I saw her most nights before I fell asleep. That same image woke me every morning. I'd tried to wash away that vision with bourbon and cold beer. I knew when I first saw her that my heart would forever bear a scar, and I hadn't practiced law since. The path of my life seemed to be broken in two, a life seen in terms of what happened before I took on the Berkley case and what happened after.

When my eyes opened and my head cleared, I looked at Goldstein and I could again see the questions in my mind.

"Dr. Goldstein," I heard myself say, "would I be right in saying that if you're comparing handwriting samples, it's best practice to compare like for like documents? So, for example, two résumés, two passport applications, two driver's license applications."

"Yes, but that's not always possible. Not unless your client wrote two different orders to have people killed and I could examine them both," said Goldstein, looking at me over the rim of his glasses. A nervous round of laughter made its way across the audience. The doc looked rather too pleased with himself and his answer. I needed to take more care.

"You said that you formed the opinion that the unknown author of the note and the known author of the sample documents, my client, were in fact the same person. And you came to that conclusion based upon your examination of the letter formation and construction?"

“Yes,” said Goldstein. He’d obviously been told to keep it tight with me, to make his answers short and snappy. The idiot’s guide to surviving cross-examination—don’t say too much and you can’t do too much damage.

“Isn’t that what graphology does? It’s an interpretation of letter and word formation?”

“Yes.”

“So there’s a strong similarity in the analysis?”

“To a degree.”

“So there’s a strong similarity in the analysis?” I repeated, very slowly, like talking to a naughty child and making sure he understood the question. He had to give a more definitive answer now or risk looking like a liar or a moron in front of the jury. My method of repeating the question already made him look evasive.

“Yes. There is a strong similarity in the analysis.”

Excellent, I thought.

“The prosecutor tried to ask you about graphology. I think she was trying to ask you if it’s a legitimate system of analysis. So, is it legitimate?”

“Yes. Of course it is.”

“Isn’t it true that a graphologist interpreted a blot on John Wayne’s signature to be his unconscious mind telling him that he had lung cancer? That’s correct, isn’t it?”

I gave the jury an incredulous look, like this was the craziest thing I’d ever heard, but I put my back to the witness so that he couldn’t see my expression. I had, in fact, asked him if a graphologist had made that interpretation about John Wayne, and of course, he would know that to be correct. But because I gave the jury a strong visual aid, the jury heard an answer to a different question.

“Yes,” he said. He answered correctly, that a graphologist had indeed made this interpretation, but because of my face pulling, the jury heard him say that he agreed with the crazy theory, not the mere fact that the theory existed.

“So it’s more like fortune-telling?”

“No. It is a legitimate interpretational method of analysis.”

“I don’t know what that means, Doctor.” I turned to the jury and put my hands in the air to let them know that even the high-paid lawyer didn’t know what this guy was talking about. They smiled.

“Let’s see if we can have a practical demonstration.”

It was time to load up the base without the doc seeing. I pulled out my blowup of a letter “G” that I’d made in the photocopier upstairs and held it up for the jury. I turned it so the doc could see it and then placed it on the easel next to the “G” from the one-ruble note. With both the blowups side by side, they looked identical. Most prosecutors would object at this point, and we’d have an argument on whether I could test the expert’s findings. Normally the judge gives a little leeway to cross examine. Miriam didn’t object because she knew I’d get my way and that it might appear to the jury that she was shielding her witness. When she could, Miriam liked to let witnesses stand on their own feet.

“Doctor this ‘G’ is constructed in a similar way to the letter ‘G’ in the disputed note and the known samples of my client’s signature, correct?” I hoped he would agree. It seemed like a minute had gone by with just him and the jury staring at the large letters in front of them. Goldstein screwed up his face as he carefully examined the letters.

I had to give him a nudge. “The ‘G’ on this blowup does appear to be similar to the letter ‘G’ in the note, doesn’t it?”

“It could be, yes.”

“It is similar, isn’t it?”

“Yes.”

“And this one?” I pulled up another big sheet of paper. The “G” looked similar, but it was a different sample; part of another letter was visible on this copy. A long laborious stare from Goldstein, but not as long as the last.

“Yes. It’s very similar.”

“Graphologists make judgments about people based on the way a person might construct the letter ‘G,’ correct?”

“Correct.”

“And isn’t it correct that a graphologist would say that the person who wrote this letter ‘G’ is a *sexual deviant*.” I let the last two words dominate the sentence by increasing my volume and letting those words boom and echo around the courtroom—a great way to wake everybody up. Handwriting is dull. Sex is interesting. Sexual deviancy is damn interesting.

“Yes,” he said. “The author, or whoever wrote those letter ‘Gs’ would have tendencies toward deviancy in their sex life.”

I paused. I wanted the jury’s mind working, questioning this statement.

“You have met the acting district attorney for this part of the world, Miriam Sullivan?”

He was suddenly nervous. "Yes. Of course I have."

"Is Miriam Sullivan a sexual deviant?"

"What? Of course not !"

"Your Honor . . ." Miriam cried.

"Yes. It's okay, Ms. Sullivan," said Judge Pike. "Mr. Flynn, please behave yourself."

"My apologies, Your Honor, but might I just ask if Your Honor indulges in any sexually deviant practices?" Now, this was totally outrageous. I was in danger of losing all my jury points and ending up in the cells below the court for contempt.

Judge Pike dragged her glasses to the end of her cosmetically corrected nose and looked at me over those rims, like a serial killer surveying her prey over the hood of a hot Chevy before running over the little maggot. "Mr. Flynn, you've got ten seconds before I throw your ass in jail." The jury looked physically shocked.

I felt two blasts of vibration across the small of my back. Arturas had triggered the device. I remembered what he'd said earlier about the remote detonator : two buttons, one to arm, one to detonate. I figured the bomb was now armed and live.

CHAPTER FOURTEEN

Arturas looked at me like I held a knife to his mother's throat. I was certain that arming the bomb was a warning—if I got sent to custody, Arturas would trigger the device.

Judge Pike seemed to rise from her chair as if the fury boiling in her cheeks was enough to physically levitate her from her seat.

“Your Honor, members of the jury, please turn to bundle B, page seven,” I said.

I'd never seen pages turned more furiously. Judge Pike opened her file to the correct page and returned her outraged stare to me. The jury looked perplexed.

I placed myself beside the easel to emphasize my point.

“Your Honor, the first character I have blown up here is the first ‘G’ from your signature on the certificate of listing on page seven—Gabriella Pike. Correct?”

“Yes,” she said, still angry but now a little curious.

“Dr. Goldstein, according to your findings, the judge could have written the disputed note.”

“No.”

I took a yellow Post-it note out of my pants pocket and handed it to the well-dressed Hispanic juror.

“This note was handed to me by the prosecutor this morning. Please pass it around to your fellow jurors.”

YOUR CLIENT'S GOING DOWN. I'LL HAVE HIS BAIL REVOKED BY 5 P.M.

“The jury will see the ‘G’ at the beginning of ‘going’ is in fact the same letter that I’ve blown up here, in this poster. It’s the same method of

construction used by the author of the disputed handwriting. Isn't that right, Doctor?"

"I already said it was similar."

"On your evidence, the murder note could have been written by the defendant or the judge or the prosecutor?"

"No. You're twisting everything."

"Let's allow the jury to look at the note. They can decide."

The note passed around the jury. One by one they looked at the note. Looked at the blown-up "G" from "going" and looked at Miriam. The look was the same; Miriam was a kid with her hand in the candy jar. She put her head in her hands. The jury would think her presumptuous, cocky, not one of them.

"Let's be clear about this, Doctor. Some graphologists say that a person who puts a pronounced tail on their letter 'G' has sexually deviant tendencies, but not all graphologists have the same opinion, right?" He thought I was throwing him a rope, and he grabbed it.

"That's right."

"Doctor, isn't it correct that we construct letters of the alphabet according to how we were initially taught to write them, either at home or in school?"

"That's a big factor, but not the only one. Some people alter their handwriting as they get older, but not substantially; I grant you that."

"So, the nuns who taught me to write in Catholic school. If they put a tail on the letter 'G' when they wrote it up on the blackboard to allow me to copy it, that wouldn't mean they were sexually deviant, now, would it?"

The members of the jury who wore crucifixes seemed to sit up a little straighter.

"No. It wouldn't."

"And it doesn't mean that the judge or the prosecutor have deviant inclinations either, or indeed, whoever wrote on this one-ruble note. It's more than likely to do with the way they were taught to write, and lots of perfectly normal people construct that letter in the exactly the same way, correct?"

"You're right."

"It's a fairly common way of constructing that letter?"

"Yes."

"There's maybe two hundred people in this court. How many would construct that letter of the alphabet in the same way? A quarter? A third of

them?”

“A good many would construct it that way,” he said. He was backpedaling rapidly. His hands shook as he took a sip of water. I’d taken him to a place he really didn’t want to go, and Goldstein wanted to get out as quickly as possible and move on.

The jury finished handing around Miriam’s note, and the court officer handed it to the judge. If possible, she looked angrier with Miriam than with me. I’d almost finished with Goldstein; the lid was on the coffin, and I just had to nail it down.

“It’s impossible to tell if someone is sexually abnormal just from their handwriting, isn’t it?”

“I would have to say yes. On reflection, it’s impossible,” he said, quick to divorce himself finally from graphology. Unfortunately, that was end for Dr. Goldstein.

“You now say it’s impossible, yet in the year 2000, you wrote a paper entitled, *Identifying Repeat Sexual Offenders through their Handwriting*. In this paper you say you can identify rapists, pedophiles, and deviants from nothing more than their tax returns. You did write this paper, didn’t you?” I held it aloft for the jury.

Goldstein stared straight ahead. His jaw and mouth worked soundlessly until he nodded.

“I take it that’s a ‘yes.’ So, Doctor, given that your sworn testimony today is that it’s impossible to identify sexual practices from handwriting, but in the year 2000, you wrote a paper claiming that not only can you identify sexual predators from their handwriting but that you can discern what kind of predator they are . . .” I paused, I hadn’t actually asked a question yet, but the pause served to let me look at the jury as if I were taking my question from them. “The question this jury will want an answer to is this : Doctor, were you lying in your paper in 2000, or are you lying now? Which is the lie?”

An unanswerable question is clearly the best kind. It didn’t matter what he said; no one would believe a word. Indeed, he said nothing. He simply hung his head. Two of the black women on the jury physically recoiled from Dr. Goldstein with a healthy look of disgust on their faces. The rest of the jury looked angry at the doc or just couldn’t look at him at all and stared at their shoes instead.

No re-examination from Miriam. Her note had given me the idea. The “G” in her note had been written in a similar way to the letter “G” that Goldstein focused on in his report, and it didn’t take long to find another similar letter in the trial bundle. Lucky it was from the judge. Doc Goldstein walked sheepishly from the witness stand to take his place at the back of the court.

“I can’t stand any more of this today,” said Judge Pike. The armed guard came back into court to escort the jury to their room before they left for the day.

“All rise,” said the security officer. Pike slammed the door of her chambers closed on her way out. The court began to empty. It was four thirty. Miriam went into a huddle with her team. The jacket felt heavy on my shoulders. I’d run my persuader as best I could; if it worked, then Volchek should have been dancing a jig. When my gaze fell across him, I saw him smiling, but Arturas, curiously, was not.

As the reporters rushed out, I saw one man standing against the exiting tide : Arnold Novoselic. He buttoned his coat and slipped along the benches as he made his way toward the prosecution table, his gaze permanently fixed upon me.

I shook my head, but his stare never faltered and his look seemed to be one of determination. At least I knew Arnold wasn’t just here to observe : He was batting for the prosecution.

Miriam ignored her team once she registered Arnold’s approach. She met him before he could reach her table, and they sat down on an empty bench together. I glanced at Volchek and saw that he’d remained seated with his arms folded. As I looked back at the benches, I saw both Miriam and Arnold turning their eyes away from me : Arnold had told Miriam about the bomb.

They got up together and made for the door. Miriam’s team saw their leader leaving and quickly packed away their files and followed her. Before Miriam reached the door, she turned back and looked at me with a puzzled expression. I thought that could only be bad news. After the pounding she’d just taken, she should’ve been looking at me like I’d just keyed her car. Averting her gaze, she scanned the emptying room, and her eyes found the three men in crisp suits whom I took to be feds. Arnold and Miriam waited at the door, and I saw Miriam introduce the jury consultant to the FBI before they left together.

I hung my head and swore under my breath. I'd run the perfect persuader and hopefully bought enough trust from the Bratva, but all that was about to change. From the look on Miriam's face as she left the court, I knew I had a fifty-fifty chance of being arrested the second I stepped out of that courtroom and Amy wouldn't live a moment longer.

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