

# DON MCGRAW



WEEKS  
TO  
LIVE

# **4WEEKS TO LIVE**

Don McGraw

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[\*Sins of a Nation\*](#)

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## Chapter 1

It's a compelling feeling to be the sole occupant of a space of real estate that once captured the attention and imagination of millions, analogous, I suppose, to standing in the middle of Elm Street in downtown Dallas, staring up at the book depository in a moment of time, where by chance, there is no other soul in sight. Perhaps I've chosen a comparison a bit too haughty or too well known, but for the people of Austin, Texas my current position is one of similar lore and fascination.

It was here, nearly nine years ago, on this very spot of unremarkable concrete surrounding the Austonian Tower in downtown Austin, that renowned socialite Virginia Crowley's life came to an abrupt and tragic end amid a crowd of thousands gathered for the annual South by Southwest music festival. Ms. Crowley descended a full forty-seven floors to a gruesome death. That her resulting spray of bodily fluids was all that impacted the surrounding festival goers was really quite a miracle. I'm told it took hours to determine her identity as the position of her body at the point of impact was that of diver completing a clumsy forward dive in the pike position, head first with legs spread and arms separated. Not at all the final impression a woman of high society and prestige cares to be remembered for.

My moment alone in this scrupulously examined space is short-lived, and it is no mystery to passersby why I continually pivot my sightline from the forty-seventh floor to the concrete below my feet and then back again. A few mumble unneeded confirmation of my location and join me in a momentary mental reenactment of the fateful fall, the details of which require no imagination. The fall itself was captured by several I-phones and shared with the world within seconds of death. And as it would turn out, this collection of horrific video footage would lend the necessary emotion to sway a jury of twelve to issue the ultimate sentence to the man accused of tossing Virginia Crowley over the rail of her penthouse suite. What once appeared to be nothing more than a dramatic suicide by a privileged but privately troubled socialite was soon determined to be cold-hearted and calculated murder by none other than Crowley's estranged ex-husband, highly successful financier, Karl Dutton.

The prosecution effectively portrayed Dutton as a man with motive. Virginia Crowley was Dutton's third attempt at marriage and as a settlement in their recent divorce, she effectively retained fifteen percent of Dutton's holdings, an amount that Dutton's attorneys claimed to be twelve million US Dollars. Crowley was certain she'd been deceived and was prepared to expose the fact that Dutton had millions more hidden in offshore accounts—much more.

In the weeks preceding her death, Virginia Crowley claimed possession of documented proof that would effectively triple the initial payout she received in the divorce settlement—or so the prosecution stated. This posthumous bombshell was shared with the jury by the D.A.'s key witnesses, Curtis and Elizabeth Crowley, Virginia Crowley's indolent son and his quite cantankerous wife. The establishment of motive altered the mood of the proceedings dramatically. Dutton moved from

grieving ex-husband to calculated-killer in the eyes of both the jury and the mass media covering the trial's every nuance.

The defense fought back, portraying the prosecution's key witnesses as the true killers. As the sole heir to his mother's estate, Curtis and his wife, Elizabeth had the most to gain from Virginia Crowley's demise. Their concocted story of offshore funds was unsubstantiated and merely part of an elaborate ruse to indict their client.

But the defense's moment of hope was short-lived. The prosecution countered immediately with the well-established evidence against Karl Dutton, a trifecta of facts that all but sealed the fate of the accused. Video footage of the Austonian Tower clearly showed Karl Dutton exiting the building within minutes of the now famous plunge.

Second, two eye witnesses confirmed seeing Dutton casually stroll out of the building, his demeanor described as smug and satisfied; a submission that was immediately objected by the defense and sustained by the judge. The eye witnesses, however, effectively obliterated any chance that the video footage was unclear or the time inaccurate.

Third, and nearly as effective a trifle of evidence, was documented proof that Karl Dutton had received a phone call from Virginia Crowley's cell phone just twenty-five minutes before her death, a call that the prosecution determined sent him into a fit of rage. The timing of the call allowed ample opportunity, as the prosecution would display, for Dutton to drive from his downtown office just blocks away, ascend the forty plus flights, confront Virginia Crowley and subsequently end her life in a most personal and horrific manner.

On the eve of the final day of trial the twelve jurors, an even six women and six men, were taken to the very spot where I now stand. The prosecution wanted to drive home the reality and harshness of the crime. The judge concurred despite a strong protest from the defense.

After a short while on the sidewalk they ascended to the penthouse and were each allowed a look from the balcony rail to the street some four -hundred-and-seventy feet below. The effect of the experience was clear on the faces of the jurors. One by one they glanced over the edge then retreated with a look of disbelief and disdain. Both the defense and prosecution were on-hand to monitor the on-site but were restrained from speaking by court order. No words were needed for the prosecution.

If all of that was not enough, the prosecution rested on a well-known fact that had not been allowed at trial. A looming suspicion existed regarding the accused that each side of the table knew all too well was common knowledge among the jurors, despite their denials during selection. Karl Dutton had been the prime suspect in the disappearance, and suspected murder, of his first wife, Charlotte, just five years earlier. Her body was never found. Subsequently, Dutton walked free. This time Dutton was not so lucky. After just five hours of deliberation the jury returned with a verdict of guilty in the first degree. Their recommendation for the two-time killer was death by lethal injection. The judge agreed and the appellate process began.

That was more than eight years ago. Karl Dutton has now exhausted all eight of his appeals. He is scheduled to be put to death by the state of Texas in just four short weeks. And barring a miracle, in four weeks and a day his body will be buried in an unceremonious ritual on the grounds of Huntsville State prison. Dutton has taken one final step to save his life—he's hired me—and I, for one, don't care if he rots.

## Chapter 2

Why Karl Dutton would hire me, of all people, is for the moment, a mystery. I simply can't stand him and I'm quite certain he's aware of that fact. Though I stop short of using the word hate for my own well-being, he is on a short list of those I believe this world would be better off without. Yet here I am, at the scene of the crime, the details of the court hearings fresh in my mind thanks to an exhaustive Google search.

I was contacted half-heartedly by Dutton's defense counsel and offered little more than a cursory overview of the case. It's quite clear that his defense team has moved on to more pressing and lucrative endeavors. Dutton's ship has sailed—or more aptly—sunk.

Those who know Karl Dutton describe him with such befitting words as ruthless, callous, and calculating. All served him well in amassing a fortune on Wall Street. And while he's a snake on the trading floor, he can be remarkably affable and even charming when the need suits him. Unfortunately this was the side of Karl Dutton that my father came to know.

My father died at the young age of sixty-six of acute tuberculosis. An inaccurate early diagnosis led to improper care. By the time TB was determined, the damage to his body was too far along. While Karl Dutton escapes direct blame for my father's death, he can't escape the responsibility of crushing his spirit in the final years of his life.

I was born and raised just outside of Memphis on what my father liked to describe as the best little pig farm east of the Mississippi. We were the fourth generation of Hogarths to own and work the farm.

We had a good life. My upbringing was real salt of the earth, neither wealthy nor ever in need. As an only child I was the heir apparent of the modest operation, but my heart had different desires. I received nothing but support for my decision. When I left for college my parents sold the hundred year old farm to dually fund my education and provide themselves with a modest but comfortable retirement.

All seemed good—until they met Karl Dutton.

These were the days before Bernie Madoff and Enron, a time when people trusted high profile brokers with their life savings with little if any reservation. Dutton was nationally known after all, a frequent panelist on big name financial broadcasts and the personal broker for some of the most affluent names in America. The very notion that he would have interest in the reticent Hogarth portfolio should have raised flags of caution, but Dutton's confident presentation and incredible success proved too enticing to forgo.

Conservative by nature, my parents invested just a portion of their holdings and hoped for the best. When Dutton showed returns above market averages, they invested more—a lot more. Out of



their element and perhaps caught up in the thrill of it all, they allowed Dutton to perform his magic unchecked. After all, as Dutton explained it, he was investing his own money in the very same ventures.

I remember the call as if it were yesterday. By now I was living in athletic housing, enjoying the privileges and relative creature comforts that come with being a scholarship lineman for the University of Memphis football team. I knew at once from the tone of my father's otherwise strong and upbeat speech, that something was terribly amiss. We spoke for just a short-while, my father wanting nothing more than to convey the cold hard facts without causing me any distress. But his voice quivered noticeably. Their money was all but gone.

Karl Dutton had been padding the portfolios of the wealthy on the backs of the pooled millions of the common man. Like my parents, most were unaware of the particulars of their investments. They rested in the belief that Dutton's holdings mirrored their own, albeit on a far smaller scale. Dutton used this misplaced trust to his advantage, transferring the vast majority of successful investments onto the financial reports of the uber-rich—as if they were there from the start. Word of his success spread rapidly amongst the elites, while the losses of the commoner were passed off as “risks of playing the game.”

This is all alleged, of course. There was no real means of determining for certain that this activity had taken place, other than the glaring lopsidedness of Dutton's financial reports. Even a class action suit failed to determine beyond a reasonable doubt that Dutton had “cooked the books.” The paper trail was simply too exhaustive and far too complicated for the jurors to convict with absolute certainty. Investing came with risks. Caveat emptor.

## Chapter 3

My parent's loss was in excess of seven-hundred thousand dollars, leaving them with less than eighty thousand. For Dutton's part, his portfolio doubled and his image among the nation's power players was never higher.

At sixty-four, my father was spending his days working a cash register at CVS and supplementing his meager earnings as a judge for FFA stock shows at the county fairgrounds. He was a broken man filled with anger and shame. Working his farm and providing for his family had brought him great pride. Doing price checks on perfumes and six packs was a lance in his side. The stock shows provided a small and much-needed sense of self but they were few and far between.

As for her part, my mother had always worked by his side and, by virtue, possessed none of needed skills for the modern marketplace. Not that it would have mattered—my father's pride would never have allowed for her to work.

As time passed my father's ever upbeat spirit dwindled. The hope and much-deserved plan for a carefree existence with his wife of forty-years was dashed by the unapologetic greed of Karl Dutton. At sixty-five he contracted tuberculosis—at sixty-five-and-a-half his doctors confirmed it. His life came to an end less than six months later.

My career as an agent for the Federal Bureau of Investigation began just months after his death, a fact that will forever taint my early days on the force. My untimely relocation took me away from a mother who longed for my attention and a sense of family. In my absence, she clung to her church and her small social groups to fill her days until tragedy bestowed her as well. She died of heart disease within two years of my father. I can't help but think Dutton had hastened her decline.

As I think of how different it all could have been, I realize I have misspoke about my feelings. The truth is simple; I hate Karl Dutton. And now he's relying on me as the last possible person who can save his miserable existence.

## Chapter 4

In the eight years since Karl Dutton's conviction the Texas Court of Criminal Appeals (TCCA), the state's court of last resort, has made it eminently clear that the initial sentence of death by lethal injection aptly fits the crime. The defense has made no attempt to file a petition for a writ of certiorari at the federal level—there is simply no basis to continue on. There have been no bombshell witnesses coming forward to dispute testimony, no new motive established for an alternate killer, and no forensics suggesting anyone but Karl Dutton had killed Virginia Crowley.

The appeals with the TCCA have been a mere formality with nothing new to offer, the process quick and highly predictable each time. This all leads me to assume that the accusation in open court against Elizabeth and Curtis Crowley was, in fact, nothing more than a failed attempt by the defense to create doubt with no real basis. Confirmation of that assumption may put an immediate end to my involvement in this case—not that I'm necessarily signed on just yet. On the other hand, if an investigation against the couple was conducted post-trial, the findings will need a thorough review. This is what I'm trained to do and I'm pretty good at it.

I'm scheduled to meet with Dutton's defense team, Moore, Halston, and Moore, this morning in their downtown offices to have my questions answered. I have no more than a handful. This will be our first face to face, and perhaps our last—depending on the outcome.

I like to believe that I'm only involved out of sheer curiosity but the truth is more self-serving. I'm considering offering my services to the man who all but destroyed my parent's financial future to help sustain my own. Dutton intends to pay handsomely through funds set up by his son, money he wisely shifted into his son's account before his incarceration.

And though I struggle with the notion I also find some justification in the fact that the money flow is reversed this time around. I believe my parents would find some justice in that. Nonetheless, my decision is up in the air. I intend to have the lawyers arrange for a face to face with Dutton in Huntsville. From there I'll make a game time decision based on the emotion Dutton stirs in me. It may provide some fitting closure if I opt to turn him down face to face.

The other mystery to the puzzle is the reason why Dutton wants me. Although I've had my share of successes, the belief that I would exert any effort to assist him is bred from pure arrogance. The great Karl Dutton. No one turns down Dutton. We'll see about that.

My early arrival to the city allows me time to better get to know my new hometown.

I like this town a great deal. Austin is the true crown jewel of Texas—but I miss our log home in Utopia, deep in the Texas Hill Country. Our decision to leave did not come easily but both Lacey and I knew it was necessary, given the horrors we had endured.

I left the FBI six years ago, a few years after it became obvious that my career path was on a slow decline. My part in uprooting and exposing the heinous crimes of the holder of the highest office in the land did not wear well with everyone—most namely the Director of the Federal Bureau of Investigation—a staunch supporter of the man I helped put behind bars, the very man who had assigned him to his lofty post atop the Bureau. I had shaken the pillars of power and laid bare their sins for all to see. That doesn't go over too well in DC, a city where clandestine deals are sealed in blood, and secrets, however unforgiveable, are taken to the grave.

My last assignment as an agent was in a San Antonio field office where crippled agents go to die. That proved to be my final straw. I broke free of the Bureau and moved Lacey and our two young children to the quaint town of Utopia on the shores of the Sabinal River in Uvalde County—a town without strangers and with plenty of room to stretch out. I eagerly traded my Federal badge for a new title; Will Hogarth, Criminalist for Hire. Right out of the gate I began to make a new name for myself. Aside from the necessary but mundane cheating spouse surveillances and local theft investigations, I've enjoyed consistent assignments with the San Antonio and Austin PDs. For a modest monthly stipend I've re-opened and ultimately closed dozens of cold case and missing persons' files. The latter has not yet resulted in a joyous reunion, but the contentment derived from long awaited closure is a victory in and of itself, however heartbreaking my discoveries tend to be.

The San Antonio department granted me Grade 1 access to their extensive computer database as well as support from the City and State Crime Labs. In addition, I maintain a long friendship to my last remaining connection at the FBI, the brilliant and ever loyal Charlie. He's the agent who's been there for me through thick and thin, providing critical data and information from the inside, not breaking any rules, but definitely bending a few, all for the sake of serving up justice to those in need. His only demand: keep his actions under the radar. With all of these resources at my disposal I became proficient in cracking decade's old mysteries. One of the memorable and notable being a forty year old murder committed by members of the notorious *Vanagon Quartet*. Named for four self-dubbed radical, hippies, one woman and three men, leftovers from the anti-Vietnam make love, not war, crowd. The Vanagon portion of the title was simply their mode of transportation, or getaway vehicle as it were, the Volkswagen Vanagon, the ultimate symbol of hippiedom. The Quartet was passionate in their belief of the inherent evils of capitalism, corporate greed, and unchecked governmental power. The pre-internet, low technology of their day limited their expression of rage to the most time-honored and romanticized art of larceny known to man—bank robbery. Donning the hackneyed masks of the trade, plain wool ski caps, the Quartet successfully conducted seven armed robberies in three states over a two year period, netting over a million dollars in cash. With each theft they raced from the scene in a 1969

orange and white Volkswagen Vanagon. Their inadvisable consistency would ultimately be their undoing. The robberies would have been little more than long forgotten lore if not for the death of a thirty-one year old guard by the name of Alfred Gortok at the San Antonio First National Bank. Gortok was a married father of three and the only man that dared to fight back against the Vanagon Quartet. The outnumbered young guard was killed in an exchange of gunfire. Two bullets pierced his chest, a third passed through his neck. The Quartet fled the scene and had never been heard from again—at least until I took a crack at them.

I learned that the Vanagon traded hands three times in the decades to come. The ensuing media coverage surrounding the AWOL Quartet included segments on Primetime and Unsolved Mysteries, making the Vanagon quite a collector's piece. The traders knew to keep its whereabouts on the QT, at least for a while. The passage of time and the boom of online commerce eventually made the Vanagon a hot and lucrative commodity, and that's where I found it, listed on eBay with little care for secrecy. It was proudly advertised as the authentic vehicle of the *Vanagon Quartet*. I tracked it down, traced the vehicle identification number to its original purchase documents, and voila, I had the name of at least one of the foursome. It was the first time a member of the Quartet had been identified. Each member of the Quartet had been content to live their lives with their original baptismal names. Lucky me. I picked up each of them within weeks of my discovery of the Vanagon. Three of the four lived in Chicago, the fourth in LA. Each lived quite comfortably, albeit ironically, on corporate pensions with stable financial portfolios.

After forty plus years Alfred Gortok's seventy-year-old widow and three middle age offspring finally received the closure they deserved. I let the courts sort out the details. I had done what I was hired to do—find the bad guys and serve a little justice in a world slowly being swallowed up by sin and hate.

The media coverage afforded me yet another marketing tool in my burgeoning private practice. For several years all was quite wonderful at the Hogarth house in the small town of Utopia, Texas—until trouble came quite literally to our doorstep.

When my investigations expose unwanted truths, the perpetrators like to send messages. Nine months ago that message came in the form of a bullet in the belly of my son's cherished mare. It unwittingly lit a fire in mine. Those perps are now eating their meals complements of the Louisiana Corrections Department and will be doing so for the foreseeable future.

Three months later it got worse. *Much worse.*

A Bosnian madman, steadfast in avenging his countrymen of the perceived atrocities of our great nation, controlled my every move. With Lacey and my three-year-old, Ellie, held captive in an undisclosed location by two repugnant henchmen, I was keenly and personally aware of how most missing person ordeals ultimately end. I was left with no choice but to adhere to my captor's every

command— unleashing the world’s most deadly bacterial strain on the nation’s capital in the most ingenious and effective means ever attempted.

His name was Brajko Markovic, a brilliant but disturbed man who maims, rapes and kills without as much as a shred of remorse. But for once Markovic was out-smarted, if only for the slightest of moments. Taking action when the slightest opportunity presented itself, I out-witted Markovic and effectively put an end to his vulgar existence—or so I thought. Markovic escaped incarceration and has been heard from just once since that time. His communication came in the form of a common letter delivered directly to our doorstep, no return address of course. The handwritten note inside was eerily cryptic.

*When you least expect it.*

I rushed the envelope and letter to the FBI’s San Antonio field office where it received a cursory examination before being transported to the Bureau’s Federal forensics laboratory in rural Virginia to undergo the full rigors of modern science. DNA and latent print testing resulted in no workable data, the handwriting forensics, however, proved to be a direct match. Using documents provided by Markovic’s former employee, Lexicon BioScience, agents confirmed that the handwriting was, without question that of Brajko Markovic, but this was no oversight—Markovic seldom errs. He wanted us to know he’s still in charge.

The ensuing months have been marked by the tense anticipation of his return. A whisper in the night air, a shadow in the hall or the normal squeals of a toddler all feed an ever-growing anxiety. He’s out there. Out there somewhere lurking and waiting. And he will return. Brajko Markovic does not take well to being out-witted.

Ten-year-old Michael escaped his abductors but the horrible vision of his mother and sister’s capture still lingers near the surface. As for Ellie, the lasting effects remain to be seen. Even now we wonder if a change has begun. Can a child suffer such indescribable horror and truly be no worse for wear?

And then there is my Lacey. The only woman I have ever really loved, my wife of twelve years, my confidant, my lover, my rock. Am I a fool to believe things will ever be the same? Six long days held in seclusion with sure and terrible death looming ever present—vigilantly comforting her confused child with contrived words of hope amid crushing doubt. And then the surreal: one captor dead, killed by her own hand.

I see the change in subtle expressions, an emptiness in her stare. The haunting eyes that at once stirred such emotion are flickering out. A union of spontaneous intimacy is becoming nothing more than a union of convenience. And I know that I caused this. My chosen work has brought suffering to our doorstep on two separate occasions, yet I continue along the same path. It’s all I’ve ever known and it’s my only means of providing for my family. I hold fast to the belief that time is the great healer—I pray that it can heal before all is lost.

## Chapter 5

The Law offices of Moore, Halston and Moore are every bit the regal splendor I've anticipated, occupying two full floors of the One Congress Plaza just two blocks from the State Capitol building

As the doors of the elevator open onto the eighth floor, I'm greeted with an air of expectancy by a smartly dressed young lady. She stands in the center of a richly appointed reception area of paneled mahogany, plush leather chairs and a colorful fish tank of exotic saltwater fish. The room reeks of success, the Karl Dutton case notwithstanding.

"Good morning, Mr. Hogarth," she says with a bright smile. "We've been expecting you." She extends her hand and shakes mine firmly, then with a wave of her arm, she escorts me down a long hallway lined with original paintings by the likes of Klimt, Metcalfe and Bastida. There are two sculptures; A Portrait of Emmanuel Kant by Hagemann and what may or may not be an original Miss Emma by Curtis James. I know a thing or two about good art, just enough to have an appreciation, not enough to dabble in the trade. My guide's pointed heels click against the turpentine tiles with an unwavering rhythm. The intent to impress with every detail does not miss the mark. She stops abruptly near a breakroom and offers coffee, which I accept. My choices are as limitless as a Starbucks: latte, espresso? "Just black coffee," I say. She pours the brew into a porcelain mug with a silver metal relief of MHM.

We continue down the hallway a short distance until we come upon the office of Jonathan Moore. He waves us in with a phone to his ear. He points to the chair in front of him and I drop down into it. My escort departs. I watch as Moore goes through the contrived and familiar gestures of one attempting to hasten a call. He raises a finger, smiles and winks. At thirty-six, a wink seems inappropriate but Moore is clearly my senior by two decades. I see this as his means of establishing his authority from the onset.

The spacious office is dotted with the obligatory diplomas, certificates, and golf and fishing photos. Moore maintains a thick head of brown hair with just a touch of gray around the edges. His shirt is heavily starched and his cufflinks are expectedly garish—a law partner plucked from central casting with the trappings of success prominently displayed.

I take a long sip of my coffee and slouch down in the chair in front of his desk. I have no intent or need to construct an outwardly impressive image. As I see it I've been brought in to succeed where they have failed—though I doubt Moore, Halston or Moore see it that way. Dutton has requested my involvement. They have agreed to arrange for it. Nothing more.

Jonathan Moore places the phone in the cradle and rises quickly. "Sorry about that."

"It's alright. I'm early."

“A rare trait. I like that.” He examines me over the top of his glasses for a long moment. “It’s a true pleasure to meet you, Mr. Hogarth.”

“Will, please”

He nods and slowly drops back down into his chair. I do the same. “You’ve made quite a name for yourself over the years.”

“Just at the right place at the wrong time, I suppose.”

“Well, we’re glad you’re here now. We can use all the help we can get.” Moore looks past me to the office doorway. I turn to see Richard Halston and David Moore joining us.

Halston is an African American male about six feet tall, thick shouldered and barrel-chested. The puffiness beneath his eyes is all that give away his advancing years. I’m quite aware that Halston is the face in the courtroom, an excellent litigator with the perfect blend of professionalism and compassion.

David Moore, Jonathan’s only son, is all I expect him to be. As I rise to greet them, I have the uncommon experience of shaking the hand of a man of equal height. David Moore is, dare I say, a striking specimen of a man, certainly in that small percentage of males that men would rather not leave even the most trusted wife alone with for any length of time. He possesses a strong chin, jutting cheekbones and a nose that’s the perfect cross of handsome and rugged. His blond locks give way to short dark sideburns. Though well shaven, a shadow of a thick beard is apparent against his well-tanned skin.

Their appearances are not unknown to me, of course. It’s the information age. A few taps of the keyboard have given me enough pics and info to write their biographies. I know Halston and Jonathan Moore were roommates at the University of Texas Law School. They graduated with honors then went their separate ways. Moore ended up in the Travis County DA’s office and eventually became a felony trial court chief. Halston spent his first decade as an attorney in a prominent Dallas Defense firm, where he focused on white collar crimes, criminal appeals and Federal criminal defense. Halston prospered while Moore endured a much lesser government wage. The men never lost touch, with Halston continually urging Moore to join him in Dallas. The firm’s partners welcomed his experience in the DA’s office with open arms and a written offer that more than doubled his income was made. Moore wavered but ultimately declined. He had another plan.

Following a bitter divorce in which he maintained custody of their seven year-old son, Jonathan Moore left the DA’s office to try his hand on the other side of the law. The timing was perfect. After all, if he went broke, no court in the land could make him pay alimony to his witch of an ex. But Jonathan didn’t go broke—not even close. It was apparent from the start that a defense attorney with the mind of a prosecutor was highly attractive and very effective. Within eighteen months, he had added five attorneys and four law clerks to his staff. At the two year mark, he extended Richard Halston an offer he couldn’t refuse. Over the next twenty two years, Moore and Halston grew their



practice into the largest legal defense firm in Austin, Texas. Their smiling faces grace the sides of city buses, interstate billboards and dozens of cable channels. The breadth of their services is vast and continues to grow. Violent crimes, including murder, sexual assaults and drug charges capture the major headlines, while DUI, family violence and petty theft pad their pockets and expand their firm.

Five years ago David Moore graduated from South Texas School of Law and, after four failed attempts, he finally passed the bar exam. He immediately became a partner in his father's firm. It was an anticipated decision that Halston had been expecting for more than twenty years. He didn't resist.

David pushes two chairs next to his father's desk while I shake hands with Richard Halston. We share a moment of awkward silence, unaware of who is to take the lead. Certainly not me. Jonathan removes his spectacles and places them on his desk. He leans forward with clasped hands, studies them for a moment then speaks with a tone I can only describe as empathy. "I don't suppose I can over-emphasize the desperate circumstance in which our client finds himself."

I nod.

"The courts want nothing more to do with Karl Dutton and the governor is yet to even acknowledge our calls. The situation is quite dire, Will."

"To say the least," I say plainly.

"If I can speak plainly, Will," Halston chimes in, "I'd like to address the eight hundred pound gorilla in the room." Jonathan looks around for the hefty beast and the partners share a light and awkward chuckle. Halston rolls his eyes. "We understand you have a troubled history with our client. What Dutton did to your parents and countless others is atrocious. Quite frankly, we're a bit surprised you agreed to even meet with us."

"For the record, I'm not on board yet."

"Well, what do we need to get you onto this rapidly sinking ship?" he asks.

"What do you have that proves his innocence? Give me a reason to do my job."

Jonathan begins to speak but I raise my hand and cut him off abruptly. "First I want to know one thing. Why me? And why so late in the game?"

Jonathan leans back then nods to his son to respond.

David speaks as if on cue. "The 'why me' is quite obvious, Will—you're good at what you do. We've worked with a multitude of investigators over the years, with less than satisfactory results. Karl Dutton needs your kind of expertise. The 'why now' is a bit of a mystery."

"I don't follow."

Richard Halston responds. “Neither do we, Will. I’ve presented the idea of using your services multiple times over the years. Dutton rejected the notion each and every time. He was adamant that we were wasting our time.”

“And now?”

“He says...” David inhales deeply and looks to his father before continuing. Jonathan gives him a nod to continue. “He says he has an offer you can’t refuse.”

I laugh out loud. “He still believes he’s in charge? Well, money isn’t everything—at least not to me. Besides, we’ve already discussed my retainer. What more does he have to offer?”

“He said that’s between you and him,” Halston says. “He wants to make his offer face to face.”

“That man has nothing I could possibly want.”

“Perhaps,” Jonathan says, “but he assures us you’ll be interested in what he has to offer. Will you meet with him?”

I pause a moment, rehearsing my response in my mind. I feel the flush it brings to my face. “I think your client is a bloodsucking son of a bitch that’s more than likely getting what he deserves.” I look directly at each for emphasis. None of the partners seems moved by my rant. “I promise nothing, but I will meet with him.”

“Excellent.”

“Now let me tell you how I operate. I’m an investigator. That it’s, a collector of all the facts and evidence I can possibly obtain. My views of innocence, guilt or the death penalty for that matter, have nothing to do with the effort I give to each and every case. If I chose to help, I am not here to defend Karl Dutton. That’s your job. I seek out truth. I don’t slant it, spin it, or skew it to fit some pre-disposed position. And I certainly don’t dismiss evidence that harms my client. I seek truth and deliver it you. Nothing more. Now give me something I can sink my teeth into. A lengthy trial and eight appeals seem to suggest the jury got it right. Tell me there’s more.”

“Where should we start?” Jonathan says.

“I know very little of the details of the trial. I’ll need to get my hands on the court transcripts?”

“They’re public property.”

“Time is limited and I’m just one man.”

“Point made,” Jonathan says. “We’ll have one of our interns obtain the trial documents.”

“I would also like to review the findings of the prior investigators. What have we learned about Curtis and Elizabeth Crowley? What might we have on them?”

“Simple enough,” Jonathan says and nods to David.

“What else?”

I’m off and running with the common requests of my investigations. “You took a position in court that Curtis and Elizabeth Crowley had Virginia Crowley killed. They were the primary beneficiaries of her estate. Legal theatrics or true suspicion?”

Halston speaks up. “No theatrics here, Will. Curtis and Elizabeth Crowley were slated to collect a cool fifteen million following Virginia Crowley’s untimely demise. We believed it was something the jurors should think about.”

“So it was a position presented merely to create reasonable doubt?”

“Oh no.” He firmly shakes his head. “We truly believed they should be considered the primary suspects. We believed it then. We believe it now. We believe Karl Dutton’s motive was nothing more than their creation. As far as we can tell it was a trumped up figment of their imagination.”

“I don’t follow.”

“Remember, the prosecution established that Virginia Crowley had learned of additional offshore funds that Dutton hadn’t revealed during the divorce proceedings. These new funds would considerably increase her share of the divorce settlement. She placed a call to Dutton, which they allege sent him into a rage.”

“Plausible argument,” I say.

“Only problem is, no hard documentation was ever found in Virginia Crowley’s penthouse to support the claim.”

“Perhaps she tracked down the funds online.”

Richard shakes his head. “We had her computer confiscated. Nothing showed up.”

“So she didn’t have knowledge of additional holdings?” I ask.

“Dead men—or women in this case—don’t talk.”

“A convenient truth for the prosecution,” I say.

“Indeed. It’s was our contention at the time that Curtis and Elizabeth Crowley invented the motive and provided it to the prosecution. We objected to the claim each and every time the prosecution worked it into the trial. There was simply no proof.”

“And how were your objections received?”

“Sustained by the judge each time,” Halston responded. “She eventually threatened to hold them in contempt but it was too little, too late. The jury bought the story hook, line, and sinker.”

“And his presence on the video tape? How do you explain that?”

“That was the nail in the coffin,” Jonathan replies, “but we provided an answer for that as well. Not that the jury bought one word of it.”

“It was a set up, pure and simple,” Halston says confidently. “Dutton contended from the beginning that the call came from Elizabeth Crowley—not Virginia. She claimed to have found her mother-in-law unconscious and the penthouse appeared to have been vandalized. Dutton told her he would call the police, but Elizabeth was insistent that Curtis already had. She pleaded for Dutton to come to the penthouse, which made little sense given his strained relationship with Virginia Crowley. He agreed nonetheless. When he arrives the door is locked. He pounds for several minutes before finally giving up. Confused, he retreated back down to the lobby and was seen by several tenants and the damning video camera.”

“That smug look he was said to have was nothing more than aggravation.” Richard adds.

“And of course, Elizabeth Crowley denies all of this,” I say cynically.

“I believe her exact words were ‘It’s preposterous’. What makes matters worse is that Elizabeth never appears on any of the video footage. We scoured three days of tape and found nothing.”

I sit a moment thinking it all through. Both stories are plausible, but self-serving. There’s a considerable difference in the story tellers. The partners have presented nothing to suggest that Elizabeth Crowley is capable of murder. A history of violence would certainly have been brought out in court or highlighted here today—yet nothing. Karl Dutton, on the other hand, is believed, in the minds of millions, to be responsible for the death of his first wife.

My thoughts return to Dutton’s motive. I consider all I have read about Dutton’s successes over the years and do some quick calculations. Given that Virginia Crowley was to receive fifteen percent of Karl Dutton’s holdings, her fifteen million dollar settlement puts his net worth around one-hundred million dollars. Certainly nothing to sneeze at, but considerably less than what I would have assumed Dutton was worth. Maybe the prosecution’s argument, undocumented or not, has merit. I needed more than a lack of documentation to completely dispel their theory.

“At the time of the trial you believed that there was no truth that Karl Dutton had hidden offshore funds. Has that changed in the seven years since? Has Dutton changed his tune? ” Admission from Dutton would seem implausible but I’ve seen condemned men unload themselves once they’re determined all hope is lost. It’s worth a shot.

“Dutton hasn’t spoken a word about it,” Halston says.

“How about your own investigations? Any funds ever discovered?”

The senior partners exchanged awkward glances. . “Unfortunately we found that Dutton had plenty of offshore funds. None were disclosed during the divorce. As it turns out, he was steeped in motive,” Jonathan says with a tone of defeat.

“Ouch.”

“Yeah,” David chimes in. “Doesn’t look good.”

“Is anyone else privy to this information?” I ask.

“Not to our knowledge.”

“Did we lose you, Will?” Jonathan asks.

“No. I just didn’t see that coming.”

“Neither did we, but he’s certainly not the first man to try to soften his alimony payouts. That doesn’t make him a murderer,” Richard says.

I nod in agreement. “What does he have to say about the revelation?”

“He denies it,” David answers.

“That’s irrational. Do you have documentation to support it?”

David offers a patronizing grin. “Yes, but this is not your average working man’s portfolio. His holdings are immensely complex.”

“I’d like to review them if it’s all the same to you,” I say.

David crimps his lips then lets out a forceful sigh. “They’ve been thoroughly scrutinized already.”

“All the same,” I say.

“What else, Will?” Jonathan asks.

“I want to meet with Karl Dutton sooner rather than later. I trust you can make that happen.”

Jonathan rises up with his hand extended and a wide smile. “Of course we can. Welcome aboard, Will.”

I shake his hand but lessen his enthusiasm. “I’m not there just yet. Get me in front of Dutton first. If all goes well you’ll be the first to know.”

## Chapter 6

Few give credence to the rants of a man with nothing left to lose, the least of which are the boastful tales of one Lenny Poe. So when Lenny wagged a long bony finger at the image of a shackled Karl Dutton on the television screen and proclaimed, "I killed that man's wife," his fellow inmates responded with their usual disbelief. After all, the simple-minded Lenny had claimed knowledge or outright responsibility of dozens of heinous murders and missing persons during his eight years of incarceration. The timing of most of his alleged crimes seldom held water against his time inside.

"You lyin' again, Lenny? Last week you kilt a lady dat's been dead less'n a year. Now tells me how you done that from inside a cell."

Lenny stared down the old black man while the others prodded him along with mocking jeers. "If I'm lyin', I'm dyin', Joe," he shot back.

"Go on, Lenny. I do say yo' da craziest white boy I 'err did see."

"Crazy is right. Crazier than the whole bunch of you," he said with misdirected pride.

And that much was true.

Lenny Poe's contrived tales did nothing to lessen the lore of his actual crime among the guards and inmates of Arkansas' Tucker Maximum Security Unit. They categorized Leonard as certifiable, a description he wore as a badge of honor, all due to one infamous night eight long years ago.

It was a crime so heinous that the prosecution feared an insanity plea might be unavoidable. But a conservative judge in an election year simply wouldn't allow it, and much to the collective relief of civilized society, the state of Arkansas found him guilty of one of the most egregious murders in state history. Leonard Poe received life without a chance of parole for the grisly murder and dismemberment of a prominent Hot Springs horse breeder and his young mistress. The defense claimed he was the hired gun of a jealous wife, a scorned spouse who insisted on being present for the entire drawn out mutilation. Investigators determined that the adulterous couple were bound and gagged and forced to watch each other's slow and deliberate dismemberment. The torture was said to have lasted several hours.

Lenny denied none of it, comforted by a plea agreement he believed would considerably lessen his time by pinning the murders on the vengeful wife. But the wife denied all involvement. And the signed plea agreement simply vanished into thin air. All that remained in the jurors' minds was the gruesome details of a horrific murder and the lingering image of crazed killer describing his actions in an unapologetic matter-of-fact tone. Jury deliberation lasted a mere thirty minutes.

Lenny moved closer to the television set propped high on the wall in the common area between the cell blocks, his head tilted back, his eyes squinted.

“That’s him alright.” He shook his finger at the screen. He looked over his shoulder at the others, all of whom were enjoying the charade. “I killed that man’s wife sure as I’m standing here.”

“Ya’ crazy, Lenny. Just damn crazy.”

“Crazy I am. Ya’ll will see.”

“Ya’ say dat ‘err time, Lenny. Ya musta kilt err man, woman and child in Arkansas by now.”

Lenny offered no response. Fixated on the image of Karl Dutton in prison orange, a shiver of resentment shot up the length of his spine. “I killed her,” he shouted. “She’s my kill. I done it. I killed her.”

“Sit down, Lenny,” the old man grumbled.

“Guard! I need a guard!” Lenny spun in all directions. “I need a guard!”

“Sit ya’ ass down, Lenny! They gonna snub ya’ out!”

“I need a damn guard!”

Two guards raced into the common area and immediately brought Lenny to his knees with well-placed strikes of their batons.

“I killed that man’s wife. I killed her myself. She’s my kill,” he yelled. “She’s my kill!”

A shot between the shoulder blades knocked him face forward to the floor. “Shut up, Lenny. Just shut the hell up,” the guards shouted.

“Someone has to know.”

A guard dropped down on him, his knee on his lower back and a baton pressed to the base of his neck. “Anymore outbursts and you’re headed to the hole.”

“I killed her. She’s my kill,” he whimpered.

The guard stood as two more entered the area. “Get him out of here. Fool has finally lost his mind.”

The jeers from Joe and the others had transformed to grunts of pity. Seemed Lenny Poe had finally gone over the edge.

## Chapter 7

I call Lacey on her cell when I'm only a mile from home; it's one of many new rituals we've adapted over the past six months. I unwittingly snuck up on her during an unplanned mid-day arrival a few weeks ago. It nearly earned me a bullet to the chest, a mistake I won't make again.

My reference to home is really a rental property. A fully renovated 1922 bungalow with three bedrooms, a corner study, built-in cabinets, a wraparound porch (a constant reminder of Utopia) and knotty wood floors. We're located on a charming tree-lined street in one of Central Austin's most revered districts. The schools are exemplary and crime is virtually non-existent—but there's no saying how long we'll stay. We're here on a month to month basis.

I have a history with the owner. A few years back he hired me to confirm his suspicion that his young wife was running around behind his back. I reluctantly took the case and within days was able to provide photos of not one but three male suitors in compromising positions with his betrothed. The photos saved him a fortune in his divorce settlement. It's the type of work I consider to be near the bottom rung of my profession, an outcome with no real winners, but it's work and that's my reality. Find the truth in all forms.

We crossed paths again by mere chance in my search for a rental property. The house had been vacant three weeks and already he was dealing with homeless squatters that busted out a back window and made the place their own. We agreed on a ridiculously low rent with the understanding that we'd have four weeks to move if a firm offer came through. Lacey, the kids and I tearfully packed up our log home on the Sabinal River and headed to the city where a full-time police force and a neighborhood watch program give us a sense of the safety we lacked in our isolated country hideaway.

Ellie rushes me the moment I enter the back door and grabs my leg. It's a heart-warming routine that I know has a shrinking lifespan. I toss her in the air, catch her in a cradled position and shower her with kisses. Lacey is crouched next to a cardboard moving box that has not yet been unloaded and properly stowed. She gives me a pleasant smile and continues.

*No need to get up. Just the first time I've seen you today.* I push past it.

"Where's Michael?" I ask.

"In his room." Lacey looks toward the hallway.

"Mommy's making him clean it," Ellie giggles.

"Aren't you going to help him?" I tickle her stomach.

"No way. You can help. She closes her eyes, bracing for more tickles. I don't disappoint.



“No way. Not me.” I kiss her a few more times before I drop her down and pat her on the bottom. She runs off down the hall. “The place is coming together,” I tell Lacey.

Lacey rolls into a seated position and rubs her hands through her beautiful brown hair. She’s wearing white Capri’s that accent her fit, tan calves, a loose fitting University of Memphis tee cut wide enough at the neck to expose her bronze shoulders and a bright orange halter strap. *God, she’s gorgeous.* “Not fast enough.” She sighs. “We’ll probably have it in order about the time we need to pack it back up.”

I crouch next to her, worm the fingers of my right hand through her hair and cup the back of her head. She looks down for just a moment then tilts her head up at the slightest of angles and stares at me with heavy lids and impossibly mesmerizing eyes. I know in that moment and the thousands of others before it that I’m way out of my league. Despite that, I’ve always felt destined to share a lifetime with this incredible woman. Yet now I wonder. And I wonder quite often.

“How was your meeting?” She redirects her sights on the box.

“Interesting. “

“So you’re signed on.” It’s more a statement than a question.

“They’re arranging for me to meet with Dutton in Huntsville. I’ll give them that much. Anything further remains to be seen.”

She acknowledges this with the slightest nod.

“Any bites in the email?” I ask.

“I haven’t looked.”

In the twelve years of our marriage Lacey has acted as the unofficial administrator of our Private Investigation business, the sole means of our family income. She screens emails, voicemails, (never phone calls), and checks our PO Box several times a week. She separates the wheat from the chaff and together we determine what’s financially worth pursuing and what to give a pass. Of late, however, she’s added a second classification.

*Too dangerous to consider.* Or at least that’s my hunch.

My chosen profession has always given her cause for concern, but it’s abundantly clear that Brajko Markovic has raised her level of trepidation exponentially. I anticipated any number of changes but I didn’t expect an effect on our bottom line. We simply can’t afford to choose only the glaringly safe clients. Not now anyhow. Our Utopia home remains on the market and despite an adept realtor, there are no signs of real interest. For now we bear the burden of a simultaneous mortgage and rental payment.

Our departure from Hill Country to the rapidly growing city of Austin should have spelled instant growth to our business but not much has changed. Before our move I personally contacted more than thirty criminal law firms and provided the necessary documentation for inclusion on their list of potential investigators. I was pleased to find that my recent successes were fresh on the minds of most. But very little has come through and I can't help but believe my longtime assistant has screened and discarded some questionable inquiries. I don't dare push the issue. Not yet anyhow.

Lacey pulls one of her cherished leather bound books from the box and wipes off the cover with the palm of her hand.

"I can't believe you made it a month without your babies," I say with a smirk.

She offers a light smile and pulls out another. "I've been a little busy."

Lacey possesses a peculiar but healthy relationship with the written word of the long deceased masters of literature. She studied Medieval Literature by choice at Memphis and developed what appears to be a lifelong love of Chaucer, Sturlson, Abelard and the more recent though primordial works of Emerson, Ingersoll, and Marlowe. Though I'm unable to fully grasp this passion for yellowed paper and labored text, I'm keenly aware that her preoccupation speaks of a higher level of intellect and vision than my utilitarian gray matter. Her collection is a diverse mix of mediaeval prose and European and American classics. She describes her obsession as a desire to retain the thoughts and inspirations of some of the greatest minds the world has ever known.

"So what now?" She stacks one book on top of the other.

"We look for suitable work."

"And Dutton?"

"Dutton gets what he deserves. The firm has had several investigators on this case already. What could I possibly find in the final days that they missed?"

"That's the spirit," she says acerbically.

"Is my bias that obvious?"

"Just a bit."

Lacey picks up a small stack of books, presses them to her chest and rises. Her embrace raises her Tee just enough to reveal the most glaring effect of the preceding months: a Colt 22 is clipped to her beltline. The sight gives me pause. Such a stark contrast of realities, a beautiful woman, her cherished books, two vibrant children down the hall and a widow-maker strapped to her side.

This woman has been through Hell and back—then forced to rehash her ordeal over and over again. Authorities continually prodded her for all the sordid particulars, the where, the when and the

how of her and Ellie's capture and abduction, insisting that even the slightest detail may lead them to Markovic. But there is so little she knows.

And then there's Wade, the shameless subhuman who laid hands on my daughter and viewed Lacey as his for the taking for six long days. He's been convicted by the courts and awaits sentencing in the next couple of weeks. His misguided public defender has all but assured that his sentence will be minimal with a possibility of nothing but probation. We'll know very soon and there's nothing I can do to alter the outcome. The very notion that this man could one day walk free chills my Lacey to the bone. Though probation is improbable, I've dealt with the justice system for far too long to rest assured of the obvious. And if he does walk the streets again, how do I deal with it? How do I restrain my most base and sordid instinct to snub the life out of him?

Wade has given investigators nothing of Markovic's possible whereabouts. Although a criminal of Wade's ilk will lie about the weather while standing in the rain, I'm inclined to believe him on this matter. Brajko Markovic is far too thorough to leave such a sloppy loose end, especially one as self-serving as Wade. He was never more than a hired thug.

Lacey's Memphis Tee gathers between her skin and the Colt, I reach out and quickly reposition it. She stares at me with pursed lips and a knitted brow. The question on her mind she's posed a dozen times. *How do we explain to Ellie the existence of a gun on her mother's hip?*

Michael is keenly aware of the gun and the reason for its existence. He and I discussed the matter and appropriately compartmentalized it. But Lacey resists addressing the matter with her ten year old son, choosing to pretend that she's sufficiently hidden the weapon from his sight for six full months.

She's determined to portray an image to her children that life is unchanged and the world and everything in it is good and loving. I admire her motherly instinct to protect and nurture, but I live in fear of the internal turmoil that is slowly eating away at the woman I love. There's an austere truth that I know she needs to address to silence the chaos in her soul forever. Lacey killed a man with her own hands. It was undeniably justifiable and highly courageous but it haunts her every waking moment. She acted on her most base instinct, an instinct that she now fears—an animalistic impulse she was never aware she possessed. And now she struggles to find the identity she thought she had solidified decades ago.

Reluctantly I see myself viewing her in two parts: the "Lacey before" and the "Lacey after. I'm ashamed of this unmerited emotion but am unable to purge it from my mind.

For my part, I selfishly considered using the weeks following our hellish ordeal to polish my rapidly rising star. My heroics, as they were called, brought a rush of fleeting fame and the networks were eager to capitalize on my fifteen minutes. While Lacey, Michael and Ellie struggled to chase away the demons, I practiced my interview techniques in front of the bathroom mirror and entertained

every possible offer. It took Lacey to put me back where I belonged—home and fully engaged. My family needed me now more than ever.

I ultimately minimized my hero's parade to a few short radio interviews placed from the comfort of our Utopia home. I'm mortified when I consider the terrible harm I may have wrought on my family by proudly flashing my mug for the cameras.

My blatant mockery of Brajko Markovic would surely not have gone unreciprocated. This time he'd make certain there were no loose ends. This was all so very clear to Lacey as it should have been to me. But I was caught up in the glamour, out of touch with those that needed me most. And I don't think she has yet forgiven me for the transgression.

Michael tramps down the hall with Ellie in tow. His face is beat red. "Can I be done yet?"

"Bed is made?" Lacey asks.

"Yes."

"Everything is picked up?"

"Yep."

"And put in the drawers?" She tilts her head with a look of growing doubt.

"Yep." His response less firm this time.

"Not just crammed in?"

"Uh huh."

"Dad, do you want to check it out?" she asks.

"Sure." I recite my one word line from our practiced routine. Michael responds with an equally predictable retort.

"Let me double check before you look. I might have forgotten some of. . ." his voice drifts off as he heads back down the hallway.

She folds her arms and smirks. "He gets that from you."

"The charm and good looks?"

"Yeah, sure. That's what I meant." She smiles. "You know we don't need Dutton's money, right? I know how you feel about him and I wouldn't blame you a bit if you turned him down."

"I appreciate that, but it *is* good money."

"It's just money. And not necessarily good."

"What if he's innocent? Should that play a part in my decision?" I ask.

“I think we both know he’s not, Will.”

I nod. “His lawyers tell me he has an offer I can’t refuse.”

“More money?”

“I don’t think so.”

“Then what?”

“It’s all a bluff to arrange our face to face. I’ve been on the row before. There’s a lot of similarities between dead men walking in their final days. A man takes stock of what he’s done, tries to make sense of it all. Some want to make amends.”

“So let him make peace before he’s gone. Maybe it’s the right thing to do.”

“He took my parents life from them. Everything they had worked so hard for,” I say firmly.

“What he did was terrible, Will, but it’s in the past. Nothing is ever going to change it.”

I wait for an explanation, a reason that’s more than just altruism but she offers nothing. I prod. “Why the high-road approach?”

“Because closure is healthy,” she says.

“The health of a doomed man seems quite meaningless.”

“Your health, Will. Your closure. You’ve carried anger for Dutton far too long. It’s not healthy. Meet with him for your sake.”

“And if he angers me more?”

“Just don’t let him. You look him in the eye and show him you’ve won.” She moves toward me and strokes the side of my arm, a simple contact that’s become all too rare. “But it won’t come to that.”

“How do you know?”

She puts a hand on her hip and tilts her head. “Do you really think he woke up one morning in a prison cell wondering how he could piss off Will Hogarth one more time before they put a needle in his arm?”

We both grin at the absurdity. “Fair enough,” I say.

“Do it for you.”

I nod my head slowly. “OK. I’ll listen to what he has to say.”

“Good.”

I kiss her on the cheek then straighten and look to the hallway. “Who’s up for a picnic at Zilker Park?” I ask loud enough for the kids to hear.

Michael tears out of his room and seals the door tightly behind him. Ellie escapes just in time. I’m certain he believes he’s dodged the room inspection bullet. I suppose he has. Ellie squeals, “I do. I do.”

“Can we swim in Barton Springs?” Michael asks excitedly.

“You up for that, Mom?”

“Sure.” Lacey smiles.

For a moment all seems right. But of late, good times are fleeting at the Hogarth house.

## Chapter 8

The drive from Austin to the Texas Department of Criminal Justice's Allan B. Polunsky Death Row Unit in the quaint town of West Livingston, Texas is a little more than two hundred miles. My Google search informs me that on this day exactly two-hundred-and-ninety-one brutal killers, rapists, and pedophiles are spending their final years behind these walls. On their designated day, in nothing more than a common white cargo van, each will travel west on an undisclosed route through the woods of east Texas to the town of Huntsville and the infamous Walls Unit. Here they will meet their maker at a current rate of two cons per month.

My route is a series of rolling highways and two lane roads cutting through the small Texas towns of Giddings, Brenham and Navasota. It took Jonathan Moore a day to arrange my meeting with Karl Dutton inside Polunsky's Terrell Unit. Requests of this nature tend to be granted far more freely in the prisoner's final weeks on the row. It's the Texas Correction Department's idea of compassion.

In each of my prior visits to Polunsky, my client's counsel has been insistent on joining me, but neither Moore, Halston or Moore seemed the least bit interested in joining me on this trip. After eight years of meaningless appeals and tedious paperwork, Karl Dutton has become little more than a nuisance to his defense team.

This is my fourth visit to the state's renowned maximum security unit. I've had the unfortunate and life altering occurrence of witnessing three orchestrated homicides by the state of Texas. That's their terminology, not mine. The official death certificate of the deceased lists the cause of death as a homicide. Webster defines homicide as the deliberate and unlawful killing of one person by another; unlawful, that is, unless it's conducted in a sanitary and legal manner by five employees of that particular state's penal system. I guess Webster forgot to add that clarification before the book went to print.

Two of the three condemned were clients of mine. The third was a personal favor to a mother of a convicted killer who couldn't bear to watch her baby die alone. I was hired to find evidence that would clear their names. Needless to say, I came up short. It's not to say I didn't find new and credible evidence, I found plenty. Unfortunately, all of it confirmed that the jury got it right. Whether I believe any man or woman should be put to death by the state is an unsettled dispute in my mind, but I know they had the right body strapped to the gurney each time I was involved. I can only wonder if Dutton's defense team is aware of my less than stellar record of pulling off miracles for the condemned. I suspect they are, though they'd never admit it. I can't help believe they're hoping I keep my perfect record intact.

It took just six years for the United States Supreme Court to reverse their 1972 ban of the death penalty. Since that time nearly two thousand have been put to death nationwide. Thirty-five percent on

the list have met their fate in the great state of Texas, a well-documented fact that many in the state wear as a badge of honor.

Under intense pressure from Human rights groups the courts ruled once more in 1982, this time for the sole purpose of forever doing away with the archaic use of the electric chair. Old Sparky was formally retired shortly thereafter, though if I'm to believe what I've heard, the death chair remains on the grounds of the Huntsville Walls Unit, properly stowed, ready and willing to get back to work if ever called upon. For more than three decades the courts have remained silent on the issue, satisfied and self-justified with the use of lethal injection on our society's most deserving. Thou shall not kill has been trumped by an eye for an eye.

Dry roads, light traffic and an early start to the day allow me plenty of time to grab a bite in Huntsville before continuing on to West Livingston.

Huntsville, Texas is a small rural town not unlike a thousand others in the Lone Star state—with a charming downtown strip lined with well-maintained century old structures and more churches than bars. Huntsville, however, is different in one very distinct way, a human being has been legally executed in this town at the rate of nearly two per month for the past thirty years.

As on each of my three prior passes through Huntsville, I choose to patronize the Café Texan, a local icon of an establishment, thanks in no small part to its appearance on several cable channel documentaries.

The cafe occupies the first floor of an orange brick two story building on the corner of Sam Houston Avenue and Eleventh Street. Decoratively painted windows beneath a black canvas awning announce quite simply, *Welcome Home*. A fifties era dime store neon sign is attached to the corner above the canvas, positioned in such a manner that Café Texan can be read from either adjoining street. I suspect the forethought of the angle is no longer necessary—no one in this town needs help finding the Texan.

A familiar middle-aged waitress with a pleasant smile and a confident manner greets me with a pot of coffee the moment I drop into a red vinyl chair beside a chrome trimmed corner table. I turn my cup over in a show of acceptance and order scrambled eggs and biscuits. She calls me sweetie, winks and is off to refill the mugs of a room full of regulars. The joint is filled with gray-haired, unhurried looking men with unpretentious southern demeanors. I'm sure at least a few of these weathered souls are those I've seen on the documentaries; men with tales of days gone by when good ole boys raised glasses as old sparky made the town lights flicker. But not all feel such pride in ultimate justice. The documentaries portray a town seemingly split into three camps regarding the use of corporal punishment. Age, gender, creed and race play little part in the division of opinions. The most common conviction is neither pro nor con, rather a complete numbness and outright disregard for the matter. Several, learning of the day's execution from the filmmakers themselves, shrug and delve back into



their famed pepper steak, fries and bottomless sweet tea. It leaves me to wonder how many here today even know the name Karl Dutton.

For certain, there will be no rallies in the street for Dutton and limited national network exposure. Dutton is a black mark on the reputations of the financial networks that prominently displayed his face and valued his opinions. The dramatic death of Virginia Crowley and the ensuing trial were cable and internet gold for six long months. The forty-seven story plunge onto the crowded city streets below was pure Hollywood, torn from the scripts of a Coppola or De Palma blockbuster. A killing of such passion and rage could only be achieved by the most cold-hearted and deranged killer. Few could believe that a highly successful millionaire with so much to lose could fall so far. Dutton must be innocent. Virginia Crowley was killed by a faceless madman, not the clean cut fifty-three year-old white male sitting in the defendant's chair wearing a thousand dollar suit and an Armani tie. Time and overwhelming evidence slowly swayed public opinion.

Network forums scrutinized every detail of the crime and the defendant. Scorned investors swarmed the airwaves with tales of fraud, corruption and life altering loss. Inevitably, the unsolved disappearance and assumed death of his first wife took center stage. Was it possible that Dutton was a habitual and unremorseful killer?

Through months of nearly unmatched national exposure, eye witness testimonies and personal accounts, the prosecution successfully depicted Dutton as a self-absorbed elitist psychopath who viewed himself as beyond the reach of the almighty hand of the law. As it turned out, Dutton was very wrong.

By the end there was very little public outcry over the verdict—quite the contrary actually. The highbrow defendant was getting what he deserved. And though the sentence of death was questioned by many as extreme, the passion and desire to reverse the injustice was shared by far too few to gain traction. Interest in Karl Dutton faded rapidly following the reading of the verdict. Misguided starlets in rehab and the birth of a reality star's love-child once again dominated the interests of the general public. And in the ensuing eight-and-a-half years since the trial's end, Karl Dutton has become nothing more than yesterday's news—a closed book of unfortunate history.

I take a long sip then call Lacey for the third time in as many hours. The connection is intended to assure that all is well in my absence. Lacey is insistent that a text message is adequate assurance but I prefer the sound of her voice. If something is amiss, and she speaks under duress and exact direction, I would know it immediately by her breathing pattern and the deflection in her tone. I can read people—it's what I do. I pick up on subtle changes in voice patterns, shifts in body position and irregular eye movements. The ability to decipher delicate clues is crucial in my chosen profession. It's a bit unsettling to have to employ these skills on my own wife.

We've established the arbitrary code word, *nebulous*, to convey trouble. A simple word, but one we both could avoid for a millennium in standard use. It's a code not to be used in jest or flippantly.

The mere utterance of *nebulous* is my key to contact authorities and set into motion an irreversible onslaught of armed officers authorized to shoot first and ask questions later. But I'm aware if the worst has occurred, if Brajko Markovic chooses to return in my absence, Lacey's every word may be scripted and any deviation on her part would spell immediate disaster. So I rely on the sound of her voice and the cadence of her tone to tell me what I need to know.

There's a near inevitability regarding Markovic's surefire return that goes without discussion, a haunting point that wakes me in the night. And it's really quite simple. When Markovic strikes I will not be his first target. Quick death without mental or physical torture tends to bore him. I will be the last to die. If his scheme goes exactly as planned, as they almost always do, I'll be afforded the horrifying vision of watching my family die.

## Chapter 9

The exterior walls of the Alan B. Polunsky unit resemble an enlarged version of the interior of a city morgue. Neatly ordered columns and rows of cold gray cement hold thin slotted windows, equally utilitarian in design. A multitude of these structures stand side by side, each constructed with straight lines, flat roofs, and void of architectural artistry. The unit comes into view through three sets of twenty foot high chain linked fences, topped with spiraled barbed wire. Manned watchtowers are positioned at every corner of the acreage.

While lore speaks of several daring and successful escapes, all claims are unsubstantiated. The Polunsky Unit takes pride in the official position that no man or woman has ever escaped the maximum security prison in its sixty plus years of existence.

I pass through a series of check points before entering the main entrance of the Terrell Unit, one of the most scrutinized and debated death row units in North America. Investigative reports speak of atrocious conditions and treatment, which the prison officials systematically deny, adamant that prisoners are treated with the utmost humanity.

I suspect the truth lies somewhere in between. The undisputed truth is that each inmate is locked inside a six by ten windowless cell for twenty-two hours each day for years on end. There's disagreement as to the horrors of the two hours of relative freedom. Reports mention unimpeded acts of extreme violence and sexual sadism. None make it into the daily reports.

On a far less concerning note, meals are served with less than adequate content, void of necessary nutritional value and intentionally absent of flavor. Maintenance of individual cells is slow and haphazard. Clogged toilets can go unchecked for days on end with inmates left to relieve themselves in their metal sinks, rinsing the remains with hopelessly weak flowing faucets. Visitation is rare, short and strongly discouraged. Most are limited to lawyer's visits but even those occur only during the appeal process and very little thereafter.

A guard leads me down a series of long cinder block lined hallways separated by heavily bolted steel doors. It's a route I've taken several times. He speaks for the first and only time as he opens the final door. His words are short and simple.

"Knock when you're through."

The room is long and narrow with a small window at the far end. It's vacant—I've seen it no other way. There are three side by side attorney's booths, constructed, I suppose, in the event of a boon of death row visitors. I settle into the first and await Dutton's arrival. We'll be separated by a three inch thick Plexiglas divider, requiring us to speak through an outdated hard plastic phone. I take a moment to wipe down the receiver with my shirt before I dare bring it near my head. The air in the room is warm and unpleasant. A vent beneath the window blows steadily, evidenced by the slight

movement of a faded curtain. I wonder where the air finds its origin, what lungs have already inhaled and expelled the very air I'm left to breath.

After only a few minutes, a guard appears at the door on the other side of the divider. He studies me through the window for a moment then steps aside and opens the door.

Sixty-one-year-old Karl Dutton walks through in washed-out prison orange garb and shackles. I've anticipated this moment all week, but the preparation has done me little good. I expect a haggard and pitiful man, hope for one actually. What I see is a poised, upright figure, hardly worse for wear. And then he does something that raises the hair on my forearms, something I don't expect. He greets me with the arrogant and fraudulent smile he used to bilk millions from hundreds of trusting investors.

I know in that moment that this meeting will be short, concise and quite certainly the last time I ever see his despicable face.

Dutton drops down in the chair and brings the phone to his ear. His hands are still shackled together. "Thanks for coming, Will," he says like an old friend.

I nod.

He crimps his lips then stares down for a moment to collect himself. I know it's all part of his well-rehearsed script, so I opt to throw him off, to put him on his heels.

"There's nothing I can do for you that the others haven't already tried," I say.

He raises his head slowly, the satisfied grin replaced, or merely set aside, by tight lips, "But you can try. That's all I'm asking."

I take a harder jab, a heartless shot that's meant to sting like an ice pick to the gut. I can hardly believe it's my own voice speaking, but I loathe this man. I don't intend to regret missing out on my one moment to give my parents a small bit of posthumous satisfaction. "What you should be considering is who you want on hand at the Walls Unit. I suppose your son will want to be there. Are there any other next of kin you'd like me to contact?" He nods. "That's fair, Will. You've earned your anger."

Our eyes lock for a long moment, both waiting and wondering if the other might make an early exit. But I'm enjoying this a bit too much and he has nowhere else to go. He cuts right to the chase.

"I'm a fighter, Will. I've always been. I came from nothing and made a fortune. I don't intend to go easily."

I can't believe he's gloating about his ill-gotten fortune. My intended look of disinterest is betrayed by a look of bewilderment. "You're a two-bit thief, Dutton. A self-absorbed fraud. You have less than a month before you stand before your maker. I would suggest you lose the self-justification—He tends to see right through it."

Dutton snorts and grins. “You won’t be attending my going away party? Should I cross you off the guest list?”

“Please don’t. I made a point to leave the date open on my calendar.”

“Would it make a difference if I said I was sorry for what I did to your parents?”

“It would make a big difference if it was sincere, but good luck trying to convince me of that.” The apology doesn’t come. His focus remains on his own self-interest.

“What if I told you I didn’t kill my ex-wife?”

“Which one?”

This would be the moment to deny both allegations with a simple “neither” but he offers nothing. His only focus is on the matter at hand, the crime he’s set to be executed for. No sense mucking things up with unfound allegations. I have no idea what became of wife number one but I’m certain Dutton does. So I push the issue. “There’s a lead on the remains of your first wife. Care to elaborate on the details of her demise?”

He’s unmoved by my bluff. And why wouldn’t he be? He’s scheduled to die either way, whether he killed one ex-wife or all three of them makes no difference.

“Elizabeth Crowley killed Virginia, plain and simple. I had nothing whatsoever to do with it,” he says firmly.

I just find this to be sad. Dutton is a lot of things, but he’s no simpleton. Quite the contrary. I expected something new and creative after eight plus years of utter solitude and consideration. Yet this is what I get—more of the same. The claim is tedious at best. I respond accordingly. “There’s no proof whatsoever to support that theory. Not then and not now.”

“That’s because no one has cared to look.” A bit of urgency finally comes into his tone.

“The claim has been checked thoroughly. There’s nothing there.”

“Has it?” he asks harshly. “Are you certain of that?”

“Quite.”

“Have you checked it out yourself? Have you, Will?” Dutton’s ass leaves his chair and just that quick, the door behind him opens. He looks over his shoulder and drops back down. The door closes.

I move to bring the matter to an end. “Elizabeth Crowley is not a suspect in Virginia Crowley’s death. There are no suspects. The state of Texas firmly believes you’re responsible for her death. As for Elizabeth Crowley, it’s your word against hers and three witnesses and a videotape suggest that she’s the one telling the truth.”

“I need you to check her out yourself. And check out Curtis Crowley while you’re at it. I’m sure he was standing right there next to her when she placed that call.”

An involuntary expulsion of breath leaves my lungs. “Why? Why me?” I expect a canned pitch with regard to my well known successes but he throws me a curve.

“Because I don’t trust my lawyers.They’re hiding something. I’m certain of it. And you’re the type of investigator that picks up on what others miss.”

I don’t know whether to laugh or get up and leave. There’s intensity in Dutton’s eyes.He’s glares at me, studying my reaction. I find it almost comical, or at least as droll as can be in a death row visitor’s room. I give the most basic response, doing my best not to roll my eyes in the process. “You can’t be serious.”

“More serious than I’ve ever been about anything. I believe they’re connected to the Crowleys in some way.”

I came here for closure and this is where it’s taken me. Lacey’s suggestion that Dutton may want to absolve himself of his sins seemed reasonable, but it was way off the mark. It’s apparent that he couldn’t care less of the evils of his past. What a colossal waste of time. Karl Dutton has been a con man for so long it’s possible he’s begun to believe his own twisted version of truth and reality. This latest fabrication is nothing short of absurd.

I’m a professional. I track down truth wherever it might be hiding, but I don’t waste time chasing down the wishful musings of compulsive liars just for a payday. Dutton has provided me with nothing that might lure me in, save for the offer of a generous retainer. There’s no heartfelt apology.The enticement of an “offer too good to refuse” has never been brought up. No great surprise there. My mind is made up. “There’s nothing I can do for you,” I say. “Tell your son to keep my father’s money. I’m not interested in it. May God have mercy on your soul.”

I place the receiver in the cradle and push my chair back. The guard picks up on my retreat and opens the door behind Dutton. There’s instant desperation in Karl Dutton’s eyes. As I turn my back on him I hear his hand slam onto the Plexiglas.

I glance back to see him standing, the phone now by his side, the guard already latched onto him.But he continues to pound. He’s shouting but the words are muffled by the Plexiglas between us. I’m unexpectedly transfixed by the panic in his eyes. Dutton shrugs off the guard and a struggle ensues but his eyes never leave mine.

I approach, knock on the window and raise one finger to the guard. “Give me one more minute.” Though all he can see is the movement of my lips, he casts me an irritated glare, then shoves Dutton back down into the chair. He raises his own index finger. I nod and he once again leaves us alone. I remain standing as I lift the receiver. Ispeak before Dutton has the chance.

“Still not interested,” I say again.

He doesn't mince words. He blurts out the offer he's kept in his back pocket, an offer that almost went unsaid. "I can help you find Markovic." His words send a jolt of heat down the length of my spine.

A thousand considerations would not have included the utterance of this very simple statement. I'm staggered. Dutton has my immediate and undivided attention—and he knows it. Any thought of masking my interest in an effort to maintain my control is wiped away as I slither back down into the chair. "How do you know about Markovic?"

A composed look of hope replaces the desperation of a moment earlier. "My son told me everything. That bastard is walking the streets and I'm in here. Where the hell is the justice?"

I'm uncertain of how to respond.

Dutton senses it and continues. "Ethan, that's my boy, he's wanted me to contact you from the start. Told me you could get me the widespread exposure I needed to get the evidence re-visited. Yours was the first name he mentioned once they tossed me into this godforsaken place. I told him to forget about it, to find someone else. Told him I'd be the last person you'd want to help."

Dutton takes a deep breath and looks over his shoulder, well aware the clock is ticking. "But then things changed. Before my final appeal he came to me with this crazy story about this Markovic guy. Tells me how your family was held captive while he had you parading around DC like some common criminal. Really quite a story, Will, but I had no idea why he drove all this way to tell me about it until he told me the ending. The part where Markovic escapes with a promise to return. After his escape from custody, Ethan kept an ear out for something to latch onto, something to give us leverage. That's when he heard you on the radio talking about Markovic's promise of revenge. And that's when he knew he had something."

"Had what?"

"Leverage. Ethan knows people who can do what you need done. We can scratch each other's backs so to speak. I kind of figured you wouldn't take my money but this is different. This is about keeping your family safe. So what do you say, Will?"

I hardly know how to react. There are so many questions and only seconds before the guard returns. I ask the first thing that comes to mind. "Why didn't Ethan contact me himself six months ago?"

"He didn't think he had to. He contacted your lawyers. They assured him they would handle it but before I know it the final appeal is exhausted and you've never been approached. "Doesn't that convince you something is up, Will?"

"Not really." I don't give the guilty lawyers rant any more than that. "Why wouldn't I just use your retainer to hire my own guys?"

Dutton states bluntly, “Ethan has an inside track with these guys. They take care of their own.”

“What type of guys are we talking about?”

Dutton’s voice is hurried. “Let’s just say there are favors granted and favors owed. You need my son on this. Do you have any idea what this sort of operation would cost you to do on your own? This is an international search, trained professionals crisscrossing the globe with the necessary pocket cash, documents, armament, lodging, and on and on.”

“I’m an investigator. I’ll do it myself.” I say halfheartedly.

“And leave your family alone while you tramp around the world? Bad idea.”

“I don’t need any back alley bounty hunters doing my dirty work. I do things by the book.”

“Is there any other way?” I’m not sure if it’s sarcasm or just Dutton’s usual flippant tone. “Come on, Will, please. Call my son. Let’s make a deal. I’m running out of time here.”

The guard enters. “Time’s up.” I hear him through the phone.

“Do we have a deal?” Dutton asks with urgency. “Do we have a deal?”

The guard pulls him from his chair. “Let’s go. Time’s up.” The phone falls from Dutton’s hand and is left to swing from the metal chord. The line of communication is still open but fading.

“Deal.” I answer with heightened volume. It’s clear that Dutton can hear my words by the reassurance in his eyes. And then he’s gone.

I sit trying to recreate how I went from “not interested” to “deal” in the space of minutes. If there’s validity to Dutton’s offer, maybe life can finally return to some sense of normal. Either way I’m a man of my word, even with the likes of Dutton. And it’s time to get this investigation underway.



## Chapter 10

The receptionist at Moore, Halston, and Moore directs my call to the voicemail of Jonathan Moore. I state that I'm on board and that I'll be in touch soon. I push zero and am rerouted to the receptionist. This time I ask specifically for David Moore. Once again, I am sent to voicemail. I leave a short message regarding the status of the court transcripts, the reports of the prior investigations and the need for Ethan Dutton's contact information. I leave my cell phone number twice before hanging up.

It's a constant source of amazement to me that so many bare their souls, unleash their darkest secrets and commit all sorts of heinous slander on cell phones and social media sites. A rapidly growing portion of young people have never known life without these devices. Perhaps they're just as comfortable with these modes of conversation as previous generations were with sharing gossip over a backyard fence.

Though just thirty-six, I feel more in tune with the backyard gossipers. I hesitate to share Dutton's offer with Lacey via cell phone, in fear that somehow, the ever resourceful Brajko Markovic is listening in on my every word. Then I do an about face. I call anyway. Let him listen in. Let him know we're coming for him.

Lacey receives the message with the emotion of a routine business call. By the time I return home, she's already done her homework. She greets me at the door with a folder in hand and, much to my delight, a small peck on the cheek.

"Kids are already down. I think Michael may be catching a cold. I loaded him up with three thousand milligrams of C and tucked him in. He didn't fight me a bit."

"What's this?" I point to the folder in her hand. She opens it and fans through the documents. "Contact information for the D.A. that prosecuted Dutton—unfortunately he's since moved on—and a detailed listing of the bench decisions of the presiding judge that oversaw the trial. She's no friend of the accused. I also have last known addresses of Curtis and Elizabeth Crowley. You may find it interesting that the addresses aren't one and the same. Seems the lucky beneficiaries went their own way not long after the trial."

"You did this all since my phone call?"

"It's like you say. Once we're on board it's full steam ahead. Besides, I like this one. It's got a bit of everything with little chance you'll end up in someone's crosshairs."

"Well, you've given me a nice head start. Thanks, baby."

"I'm not through. I also pulled up the website of the Texas Capital Defender's group here in Austin. You may want to see if they can offer any help."

“Anything else?” I grin.

“Actually yes, I’ve saved the best for last.” She pulls the final sheet from the folder. “This is an archived piece from the American Statesman a year or so after Dutton was sentenced.” She hands me the article and summarizes while I scan it. “It’s a statement from Curtis Crowley to investigators in which he accuses his ex-wife of his mother’s murder.”

I’m taken aback. “This is huge.”

“You would think so, but not as far as I can tell. It’s the first and last article that makes any mention of it.”

“It seems kind of odd that his lawyers wouldn’t have shared this little tidbit with me.”

“In their defense, you weren’t entirely signed on.”

I pull my cell from my pocket and begin to dial.

“Who are you calling?”

“Jonathan Moore. Let’s see why such a damning admission died on the vine.”

Lacey puts her hand on mine and guides my cell away from my ear. “Not yet. There’s time for that.” She sets the folder down and guides me toward the couch. We drop down in unison and she takes my hand in hers. She looks into my eyes for a long moment. “I know you worry about me, Will.”

I wish she would continue but she waits for a response. I nod.

“And I know things haven’t been the same.”

“It’s OK. I understand...”

She puts her finger to my mouth. “I just want you to know I would never leave you and the kids. I’ll beat this thing whatever it takes.”

As I often do, I say what’s better left unsaid. “And if there were no kids?”

“There are, Will. Two wonderful children.”

“You know what I mean.”

“That’s unfair, Will. Marriage goes through stages. Everyone goes through ups and downs.”

“But this is more than that. We both know it. I know you’ve been through more than anyone can imagine, but there’s a part of me that feels it’s more than that. Something that was missing all along.”

She gives me the worst possible response. None whatsoever.

“So there might be something to my suspicion,” I say.

"I guess," she says. "I mean, no, of course not." She gets up abruptly. "Please, Will. Let it be."

"It's hard."

"Ok. Fine. You want me to tell you how I feel? Is that what you want?"

"Yes."

"I feel nothing at all. I've detached myself from all emotion just to get past the fear and pain. It hurts less this way. I don't expect you to understand. I just need you to be patient."

"I will, baby. I will."

"I'll get through, Will. You need to trust me."

"Of course. As long as it takes, baby."

"I'm still in here somewhere, Will. When I finally break free, it's you I want by my side."

I lean and kiss her on the cheek. "I'll be right here."

Lacey smiles, then gets up and heads down the hall. I wait a moment and hit re-dial. This time I'm less passive with the receptionist at Moore, Halston and Moore. When I'm yet again forwarded to the recorded voice of Jonathan Moore I hang up and call again "I'd really like to speak to an actual person—not a machine." She's unmoved, a true professional.

"Certainly, Mr. Hogarth. Let me page." In less than a minute Jonathan Moore comes on the line.

"Got your voicemail, Will." he says in an upbeat tone. "I speak for all of us when I say it's great to have you *officially* on board."

"Let's just hope it's not too late."

"Touché'."

I cut to the chase. "What became of Curtis Crowley's claim that Elizabeth killed his mother?"

Jonathan huffs. "It simply didn't check out."

"Was it brought before the courts?"

"Unsubstantiated claims, especially ones this daunting aren't presented without thorough consideration. It's critical for us to maintain credibility with the appellate board. The astonishment I hear in your voice is one we all shared, Will. Believe me when I tell you that no one wanted the accusation to be real more than us. It was our first and only real lead since the conviction."

"Seems like a lot more than a lead."

"Yeah, it sure did."

“Then what happened? Why didn’t it make front page news?”

“Curtis Crowley made the claim eighteen months after the conviction and six months after what I’ve come to understand was a nasty divorce. The press thought enough of it to put it in print but refused to elevate the claim under pressure from the DA’s office. They had no intention of having their conviction revisited based solely on the bizarre and oddly-timed accusation of a bitter ex-husband. They claimed it was all about money. And who wouldn’t believe that? If Elizabeth Crowley is the killer, Curtis receives the entire fifteen million dollar estate.”

“What changed between the two? I understand that Curtis and Elizabeth were consistent in their claims throughout the trial.”

“Hard to say for certain, but there’s several theories. Number one is the money, of course. I’ve been on this planet long enough to know a simple sobering fact—ninety-five percent of everything has to do with money. When people get a taste of it they want more.”

“Do they want it enough to pin a murder on their ex-wife?”

“Enough to kill her themselves in many cases,” Moore chuckles, “but I suppose you’re being a bit of a devil’s advocate, Will. You must know the dark side of people’s nature more than most, given your line of work.”

“All too well I’m afraid, but why the delay? Why eighteen months after the trial?”

“Who’s to say? Maybe he made a bad investment or gambled away his share of the inheritance. Maybe he just got scared.”

“Scared?”

“David was relentless in his investigation of Curtis and Elizabeth for a good while after the Karl’s conviction. If Curtis truly was involved, he could have been concerned we were getting too close to the truth. Putting all the blame on his ex-wife may have just been an attempt to get us off his back and put a target on hers.”

“That’s seems a bit drastic. Was the split that hostile?”

“Not at first. Our investigation revealed an amicable split—with photos to support it. They continued to meet socially for some time, coffee shops, a yoga class, even an outdoor café, all very civil-like.

“Then what happened?”

“It seems Curtis simply snapped. All social contact ceased abruptly. The times we did see them together, the exchanges were short and heated. They were no longer planned events, more like cleverly planned run-ins, orchestrated by Curtis. It became so bad, she eventually filed for a restraining order.”

“Amicable so seldom lasts long.”

“Agreed, I’ve been there.” Moore laughs. “But this was just plain ugly. And it got that way in a hurry.”

“So why did Curtis never make the claim again? It’s been nearly seven years since he went public with the accusation.”

“There again, we simply don’t know. But suffice to say, Will, his silence is a pretty strong indication the claim was bogus. Wouldn’t you agree?”

“Seems like a logical summation.”

“So what started out with such promise got us absolutely nowhere.” Jonathan huffs. “Listen, Will, I’ve got a meeting to get to. What else can we do for you to help get you started?”

“Well, I suppose I can get the transcripts on my own.”

“I apologize. We’ll get that done today. What else?” His voice is hurried.

“I’d like a standing meeting set up with Karl Dutton. A set time once per week until the clock runs out. Of course I’m hoping it won’t come to that.”

“I’ll have it arranged, though I’m a bit surprised by the request.”

“When I’m in—I’m all in.”

“Then consider it done.”

## Chapter 11

As it turns out, there is no need to track down Ethan Dutton. He initiates contact with me and offers to meet in Austin despite his San Antonio address. I cut his drive down a bit by offering to meet in San Marcos. I know a little Mexican cantina just off the Texas State campus. Ethan thinks better of it and in the end we chose a public bench at Dunbar Park on MLK. The occasional passersby's will be hard pressed to piece together that two seemingly normal thirty-somethings are discussing the use of a paramilitary force to track down an international killer.

Ethan shakes my hand and provides me a business card. *Ethan Dutton, Attorney-at-Law*. He's a fit man a shade under six feet with meaty hands and a grip like a vice. He's a full six inches shorter than me but no less intimidating. His head is shaved and his scalp is almost reflective. He has a strong chin and wide boxer's nose. I see a bit of Karl Dutton in his eyes.

My Google search has informed me that Ethan practices various types of law but specializes in immigration and extraditions. We settle in across from each other on a cement picnic bench beneath a large live oak. Ethan rests his beefy forearms on the table and scans the surroundings.

We spend a few moments on conventional pleasantries and a brief tête-à-tête of the unseasonably calm weather before diving in head first.

"My father did not kill Virginia Crowley," he says.

I nod and a long silence ensues. I take over the lead. "Tell me about your trackers."

"Let me start by saying they're not *my* trackers."

The firm objective to disassociate himself brings me immediate concern. "Assure me this is on the up and up."

He studies me a moment with a look of reservation. "These men can do what you need done. I'm not privy to all of their methods, nor do I care to be. What I do know is that they're on the right side of good and evil. And if crossing an occasional line means the difference between mission failure and mission success, well so be it. So long as the bad guy loses. I'm not going to sugar-coat it any more than that."

My look of self-righteousness is creating useless tension between us. And if I'm honest with myself, my sanctimonious air is outright hypocritical. I know why I'm here. Karl and Ethan Dutton are trading trained bounty hunters for the use of my services. Letter-of-the-law boy scouts will fail miserably in the pursuit of Brajko Markovic. I know that as well as anybody. "Fair enough," I say. I look at his business card still cupped in my hand. "So tell me how an attorney-at-law is connected to all of this."

“My primary area of practice is extradition law. I keep a formal office in San Antonio but a great deal of my time is spent in Laredo. As I’m sure you know, as far as Texas is concerned, Laredo is ground zero for the Mexican drug trade, human trafficking, and illegal immigration. There’s nothing but three hundred yards of shallow water between the Texas and Mexico borders. Lovely place.”

As a former federal agent in a San Antonio field office, I’m intimately knowledgeable of Laredo, Texas. Not all bad if you keep your nose clean, but hell if you don’t.

“I’ve been working with Laredo officials for over ten years. Our relationship is simple on its surface,” Ethan says. “They catch ‘em and I cut through the bureaucratic red tape to get them prosecuted. When Mexican citizens commit atrocities on American soil, we mean to prosecute them on American soil.” He taps his index finger firmly on the cement table. “Knowing that, they flee back to their homeland to evade arraignment, at which time I prepare the necessary documents and legal finagling to extradite them back to the States. The Mexican government is committed to the process as part of a hundred-year-old treaty, but they’re not exactly breaking their backs to execute it. Sometimes the process is seamless. More often than not the offender is nowhere to be found. And although the treaty dictates the involvement of Mexican authorities and resources in detaining the felon, the effort is typically lax at best. That’s where our trackers step in.”

Ethan stops for a moment as two co-eds to jog by. He nods and smiles, they giggle flirtatiously and continue on. He lowers his voice and continues. “Our trackers are an unofficial task force of retired officers, looking to stay in the game and pad their pockets in the process. Each possesses a high degree of military training and several decades of police work.” Ethan picks up on the concern in my eyes. “Don’t worry, Will, our government’s generous pension programs put these guys out to pasture much earlier than the private sector. These guys range in age from forty-seven to fifty-five, all still very viable and very fit. I wouldn’t mess with them. Laredo authorities have been utilizing them the past several years with stellar results. To date they’ve captured and extradited thirty-eight fugitives, most extracted from the seedy underbelly of Mexico’s interior. It’s real commando like stuff.”

I’ve travelled Mexico’s interior only once. Barring some unforeseen need, I’ll be more than happy to limit all future travel to the Cabo San Lucas and Cancun-like locales.

“For obvious reasons, the funding for the project is coded in such a way that keeps it under the radar,” Ethan says. “We’re well aware that operations crossing international lines are earmarked for federal agencies. Unfortunately, that hasn’t worked out as well as planned. No offense to your prior employer.”

“None taken.”

“It’s a messy business down there. I can’t imagine how bad it would be if these thugs were free to come and go as they please without fear of retribution. This task force is essential.”

“So how do you get personal access to their services?” I ask.

“Our relationship is built on mutual respect and a mutual need. I get paid for extraditions, plain and simple. No fugitive, no money. They on the other hand count on me to validate their efforts. If they risk their lives only to see the fugitive walk—which is quite possible given the current soft-balling—you can imagine how that feels. We look out for each other. They actually view me as part of the team.” Ethan laughs at his own words. “When I explained to them that finding Markovic was my way of gaining your services, they didn’t blink an eye. The solid paycheck and worldwide travel stipend didn’t hurt either.” He smiles.

“I’m worth that much to you?”

“I believe you are, but not for the same reasons most solicit your services. Sure, I know about the high profile cases but I’m more impressed by your cold case successes; your ability to see evidence where others haven’t; and the tenacity to see it through. As far as I’m concerned, the state of Texas considers this a cold case. They might as well have put my father in the ground seven years ago. This won’t be easy, Will.”

“So let’s get started.”

Ethan extends his hand and squeezes mine. “I’m ready.”

We spend the next forty-five minutes brain dumping. I recount every known detail of Brajko Markovic that comes to mind. I don’t have to dig deep. Markovic has been at the forefront of my mind every waking moment for the past six months. My words flow freely, detailing his criminal history, bogus identities, unthinkable but little known atrocities committed in his native village of Sresnic’, Bosnia. His ensuing bizarre attack on the nation’s capital. When I speak of Markovic’s peculiar psyche, Ethan seems most intrigued. I speak of an MO derived from high intellect, a colossal superiority complex, and the overwhelming desire to display his brilliance for all to see. I finally come up for air and turn the discussion to Ethan’s father. “Tell me about your relationship with your father. I can’t imagine it was baseball in the yard and bedtime stories.”

“No, Will. No it wasn’t. He was a lousy father and an equally worthless husband—except for the money of course. I suppose that’s the only reason my mother stuck around.”

”Where is she now?” I ask.

Ethan is taken aback by my question. And he should be. The man he’s counting on to unearth buried evidence has exposed an uncanny lack of planning for today’s meeting.

“I assumed you knew.”

My face feels flushed. I know my error immediately. “It’s your mother that went missing?”

He nods and looks in the distance. “I’m the product of the first of my father’s three marriages, and perhaps the last remaining evidence that the union ever occurred.”

“We’ll see about that.”



He smiles lightly. "I like your spirit. And for the record, Will, my father had nothing to do with my mother's disappearance."

"The courts agree. There's no evidence to suggest he did," I say.

"You mean they have no body. I know what the general consensus is." His eyes return to a far off stare. "My mother's gone, Will. She's been dead a long time. I'm not clinging to some fantasy that she simply ran off only to return once my father is gone. Her killing was a random act, the backlash of a botched robbery by some sick bastard. The only thing he got right was hiding the body where it would never be found."

"I'm sorry."

"Yeah, me too. I loved my mother very deeply. She was my anchor in the turbulent storm. That was my father. How she ever got mixed up with the likes of him is a mystery I'll never solve. But I do intend to solve the mystery of her death. I'll never give up on that. Never. And when I do, justice will be swift and thorough."

I try to put myself in his place, to imagine the anger derived from the emotion of losing someone so dear without a shred of closure. It's inconceivable. And for this reason, I forgive him his desire for vigilante justice. But there's a disconnect I need to bridge. "What's changed? Why the strong desire to save a man like your father?"

"I suppose you expect a response about him being blood and the whole family bond thing." He waves off the notion. "Hardly. But the father I knew in my youth is not the same man I've come to know. He's changed, Will. And not just after this incarceration. It started a year or two before that. I know your parents were part of his wretched past and I'm sorry for that. Truly. My father was a man consumed with material wealth at any cost, with no concern of whom he took down along the way. He came from nothing and I suppose he lived in constant fear of an eminent return to those meager beginnings. Please understand that I find that in no way a suitable justification for his actions. It's just the way it was."

"Karl Dutton is his own man, he made his own choices. I don't hold you liable in any way for his actions."

Ethan nods. "I've always been intent on making my own way in this world. I've never wanted anything to do with his money. It was mostly ill-gotten as far as I was concerned. Dirty money. You know—bad Karma and all."

"But now it's in your possession," I say.

"So long as he's alive, I'm not touching it. I'm doing just fine on my own."

"And afterwards?"

“I don’t know. I’ll think of something good to do with it. Maybe even find a way to get it back in the hands of its rightful owners. I know he’d like that.”

“You’ve got to be kidding me,” I say with a bit too much astonishment.

“Not at all. He started giving large portions of his wealth to charities a year or so before his incarceration. All done anonymously.”

“But not to those he defrauded,” I say bitterly.

Ethan shakes his head, seemingly a bit ashamed. “No, but he was considering it. He couldn’t get past the fear that payback was akin to admission of what he had done. He wasn’t prepared to go that far. Not at that point, anyway.”

“Was this some sort of religious awakening?”

“He didn’t speak that way, but it’s possible. I think it had more to do with creating a connection with family—namely his grandson. ”

“Your boy?”

“Yeah. Nolan. He hasn’t seen his grandfather since he was nine years old. He’ll be eighteen in the fall. You have a boy, don’t you?”

“Michael is ten.” I say.

“Nice age.”

“He’s a great kid.”

“They get to you, don’t they? A child can have a strange effect on people. Nolan worked his magic on my father like no one else ever could. Certainly more than I ever did, but I harbored no jealousy toward the relationship. It was pure and real. Young children regard you with such wonder and admiration. They know nothing of your imperfections and sins. It’s just awe and love. It makes you want to be a better person, a person more like the one they believe you to be. I think this is what happened to my father. He wanted to become the man Nolan believed he was. The effect was profound.” Ethan takes a deep breath. “I doubt Nolan would even recognize him today.”

“It’s never too late.”

Ethan nods. “My father loved Nolan with all his heart and Nolan felt the same. I very seldom speak of him on my father’s insistence. He doesn’t want Nolan burdened with talk of a grandfather on death row.”

There’s a gloss to Ethan’s eyes so I sidestep the emotional pit. “Do you have any idea how much money your father gave away to charity?”

He shrugs. “About ten million.”

“How much is left?”

“Far less than Virginia Crowley believed. Best I can figure my father was worth about a hundred-million before he started unloading.”

“The same amount he claimed in the divorce proceedings,” I say.

“Precisely. He’s a very wealthy man, but the pot of gold he was rumored to have in offshore funds was pure fabrication. He owed Virginia Crowley fifteen million and that’s exactly what she got. She hadn’t discovered additional funds like the prosecution claimed. With no additional funds there was no need or motive to keep her quiet.”

David Moore’s certainty that additional off-shore funds had been confirmed is forefront in my mind. “Are you certain of the extent of your father’s financial affairs?”

“Quite. I had doubts for a while but not anymore. My father is set to die in less than four weeks. Why would he hold out on me? If not for me, why would he deny his grandson the additional inheritance? It defies logic.”

Ethan Dutton has given my investigation a fitting charge. Karl Dutton’s motive. That critical piece of the trial never met with much challenge. I’m left to wonder why. If off-shore funds did exist, it was a discovery that the firm made long after the trial. Based on what they knew at the time, why hadn’t they cried foul? Why hadn’t they shown the court that Dutton had given Virginia Crowley her just and agreed upon settlement? Or maybe they did. I *really* needed those transcripts. I have one more request of Ethan Dutton before we go our separate ways.

“There’s one more thing, a condition of employment I’ve got to stay firm on.”

“Shoot.”

“Whatever number of personnel you have designated to track down Markovic—lower it by one. I want one man to watch over my family at all times.”

“Done.”

“That simple?”

“That simple.”

I reach out to shake his hand as I rise. “I think we’re going to work well together, Ethan.”

“Ditto, Will.”

According to Lacey's findings, Curtis Crowley's last known address is in the Tarrytown section of central Austin, a revitalized and eclectic community of old homes and architectural masterpieces just west of downtown. Google Maps is kind enough to give me a street view and directions. An automated AT&T operator informs me that there are three Curtis Crowley's in Austin and the surrounding area, it takes three tries but I'm finally texted all three phone numbers.

There's little doubt that Curtis Crowley is lying low these final months before the execution. Any notion that I can open up the lines of communication with a simple phone call is a fantasy at best. But I have nothing to lose. I leave messages with each of the three phone numbers and I don't mince words. I provide my name and the reason for my call. Two of the three will be clueless. And the third will have no intent to return my call. So I take the bull by the horns. I roll along the curb a hundred feet down from the last known address and wait. I've got time and an I-phone. And probably an hour or two before a neighborhood watchman taps on my window.

I called Lacey an hour earlier to inform her we'd be taking on a new house guest for the foreseeable future. Ethan's man will look after Lacey and the kids on a full-time, live-in arrangement.

The news wasn't as well received as I anticipated. Women like Lacey have a certain decorum and vanity that doesn't allow for a constant set of eyes watching their every move—especially male eyes. But she knows it best so she affords me a soft “thank you” before shifting the conversation to the matter at hand. The transcripts have arrived via courier, compliments of Jonathan Dutton. According to Lacey, it's a stack as thick as Sophocles plays, yet another giant of literature whose name is as unfamiliar to me as any number in her vast collection. I only hope she dives into the court documents with the same zest typically reserved for her leather bound classics, but I don't dare make the suggestion.

An hour of waiting has rendered nothing. A dozen or more people have passed by, none of whom are moved in any way of my presence. It's mid-day and I'm a clean cut white guy in a late model vehicle. No cause for concern. I focus my attention on contacting Elizabeth Crowley. This time I have more luck. The operator provides me just one phone number. This time I get a real voice.

“Is this Elizabeth Crowley?”

“Who's calling?”

In the world of private investigation the “who's calling” response is akin to a firm confirmation. “My name is Will Hogarth. I'm a private investigator...” the line goes dead, I immediately call back. This time a voicemail educates me on the fact that Elizabeth Crowley now refers to herself as Elizabeth Carpenter, either a maiden name or new surname. I leave a detailed message of my intentions and end with my standard, “I think we can help each other.” I expect nothing but hope for the best.

After two hours of sitting two houses down from what may or may not be Curtis Crowley's residence, I decide to do what I should have done from the start. I approach on foot armed with nothing but my cell phone. I pass by casually then flank to the rear of the house through a neighbor's

yard. My suspicious actions go unseen, as best I can tell. My intent is innocent enough. I plan to tuck up close enough to a rear window to hear the ringing of a telephone—a ring I intend to cause. If any of the three phone numbers I’ve been provided bring about a ring, I know, at minimum, that I’ve wallowed away the past two hours in front of a correct residence. I’m confident in my approach, secure in my tenuous belief that the home is vacant—but I’m quite wrong. There’s movement inside, first in one window and then another. I’m uncertain if I’m seeing one person or two, even more uncertain if they’ve seen me. If I’m caught in a quick retreat it will do nothing but raise suspicion, so I opt to go legit and see just how far the approach carries me. I lower my head and walk quickly toward the house, intent on making it back to the front unseen where I can knock on the door or ring the bell. If I’m spotted the infraction is minor, nothing I can’t explain away with minimal embarrassment. I move quickly but can’t resist a quick glance as I pass near the glass door wall. From this close distance, I see the door is open, with only a screen in place to keep out pests. What I see through that screen is about to turn this case on its ear before it’s even gotten off the ground. The implications are dizzying.

Two men, one matching photos I’ve seen of Curtis Crowley, the other with his back to me, are in a full and intimate embrace. Crowley is wearing nothing but a white towel tied lazily around his hips. The other is in a suit jacket. Crowley tilts his head back as the other runs his hand through his wet black hair. Then they bring their heads together and latch hands. I’m a mere ten feet away, destined to be spotted except for the fact that they have eyes only for each other—or *at least until my phone rings*.

Crowley’s head spins on a swivel. His eyes meet mine. His lover doesn’t move, apparently intent on keeping his identity intact. Crowley yells a trio of obscenities then storms toward the screen door. And in that moment his guest is drawn in by the Crowley’s abrupt actions. He looks towards me with the slightest turn of his head but his identity is unmistakable. I’m staring into the eyes of David Moore.

For a moment, I’m the young and acne scarred Will at a prep school party, stumbling upon two classmates in the full throws of copulation. My first reaction is to turn and walk away, to pretend I saw nothing. But the acne has cleared up and I’ve got a job to do.

What I saw is bewildering but I’m certain there must be a perfectly reasonable explanation. Why is David Moore playing suck face with the very man he so vigorously accused of murder in open court? Crowley is chest to chest with me, still barking at the top of his voice. But my attention is over his shoulder on David Moore, who is working his forefingers deep into his temples. Crowley attempts to move me with a chest bump. I don’t budge. The lame assault turns the tables. I’m on this property, but not inside his home, unarmed and showing no signs of intended violence. I reach down and rip his towel from his hips and toss it toward the house.

“Get some clothes on or I might just charge you with indecent exposure.” Crowley retreats but not before launching a poorly aimed secretion of mucus in my direction.

And then there's just David. He collects himself and moves closer. The floor is his. I have no idea where to begin.

"This is not what it looks like," he says, shaking his head, "I mean it's what it looks like, it's just not what you might think."

"And what might I think, David? Help me understand." My tone is terse.

"It just happened. I never intended it."

"Karl Dutton's defense lawyer is intimately involved with one of only two suspects for the very crime he's scheduled to die for. That's what it looks like to me. What if I find evidence pointing right to Curtis? What then, David? Are you prepared to see that evidence through in time to save Karl?"

David steps though the doorway and closes the screen and sliding glass behind him. He raises his hands in front of his chest palms forward. "Look, Will, there's something you need to know about this case. Something both Richard and my father didn't have the heart to share with you."

"What's that?"

He gives me a self-assured smile. "Karl Dutton is as guilty as the day is long. He's guilty of killing Virginia Crowley. One day he'll be proven guilty of the murder of his first wife."

"That makes it easier for you to sleep at night?"

"Cut me a break here, Will. I'm gay, OK? You caught me in the act. It took me years to admit it to myself but I've come to terms with it. It's who I am and I'm fine with it."

"I'm not judging your lifestyle."

"But you're judging me. You see me with Curtis and you immediately assume I'd trade the life of an innocent man to keep my love life intact. It's offensive."

"It looks bad."

"I'm gay, not a monster," he says firmly.

"What did the previous investigators find out about Curtis Crowley?"

"Nothing. There's nothing there. Is this about the reports? Do you think I'm trying to hide something? I'll get you the damn reports. You'll have them by tomorrow, today if you really need them." He moves within inches, like he's about to pounce. If this is going to go down David Moore better be well-trained. "You thought I was trying to keep them from you, didn't you?"

"Not before today. Now I don't know what to think."

"You're blowing this up in your mind, looking for something that isn't there."

"Do the reports mention you and Curtis?"

David seems to weigh this a bit before responding. “There’s no mention of us being together if that’s what you mean.”

“Did they know?”

He nods his head. “One did.”

“And how did he handle it?”

“I gave him a big bonus and sent him on his way with a promise of secrecy. It was my own money. My choice. He had ample time to find dirt on Curtis, there was simply nothing there. There was no need for him to report on our relationship just to justify he’d done something.”

“So either you’re not as comfortable about your homosexuality as you want me to believe or he got a little too close to the truth.”

David rolls his eyes. “I let him go so he wouldn’t keep running to my father every time we were together. The truth is sitting on death row.”

“Your father doesn’t know?”

“Oh, he’s well aware. He just prefers not to hear about every gory detail, as he calls it. My father is a bit old fashioned. He thinks it’s just a phase. Besides he hopes for grandchildren one day. I intend to give them to him.”

“I’m no obstetrician but I’m not sure that’s possible.”

David’s expression says he doesn’t know whether that was intended as humor or another dig. I’m not sure myself. “Curtis and I have an understanding. He knows my plans.”

“I don’t care about your lifestyle or your long term goals. I really don’t. But I’ve got a client begging for answers and a defense lawyer that I can no longer count on to be objective.”

“That’s not true.”

I change directions. “Does Elizabeth Crowley know her ex-husband is gay?”

“Quite. It’s the reason the whole marriage thing didn’t work out,” he says sassily. “What are you driving at?”

“Eighteen months after the trial, Curtis tried to pin the murder on Elizabeth. As much as I’d like to believe the claim for the sake of our client, I don’t think there was a thread of truth to it. I’ve got a theory. Elizabeth threatened to expose her ex-husband’s homosexuality for some unknown reason. He countered with claims of her guilt. When she backed down, so did he.”

“Your theory doesn’t hold water. Curtis is openly gay and proud of it. This is Austin, Texas. There’s no taboo here.”

“Then why did he try to pin the murder on his ex-wife?”

“I don’t know for certain. It’s not something that’s easy to bring up.”

“Were you with him at the time?”

“No. That was well before us.” He waves his hand toward the screen door. Curtis stands a few feet inside. The towel never made it back on. He’s in jeans and a button down. The rage appears to have subsided; no doubt he’s content that his attorney lover has the matter under control. I’m starting to think he might be right. “This relationship is all very new, Will. I know that there’s bad blood between Curtis and Elizabeth but I don’t know how it came to that. Curtis claims his actions were just one of many missteps he took during a bad patch. He retracted his claim. I guess that’s the end of it.”

“Not to me.”

“I suppose that’s why you’re good at what you do.”

“Any idea how I can get Elizabeth to speak with me?”

“I haven’t spoken to her in years. She filed a harassment suit a few years ago so we backed off. We got all we’ll ever get. She had nothing to do with Virginia Crowley’s epic plunge.”

“So you dismiss the glaring motive of immediate access to her mother-in-law’s estate?”

“I do. Read the transcripts, Will. No one went after Elizabeth Crowley in court more than I did. But I was wrong. I’ve learned that Elizabeth was very close with Virginia. She was the mother Elizabeth never knew. Virginia kept Elizabeth in jewelry and nice clothes. She wanted for nothing. She had no reason to commit such a horrific act.”

“I still want to speak to her.”

“It’s a waste of time.”

“All the same.”

“I’m afraid I can’t help you in this area. You’re on your own.”

“I’ll find a way.”

“I’m sure you will.”

“There’s one other thing that’s bugging me.”

“What’s that?” There’s a growing impatience in his voice.

“Why didn’t you come to me sooner?”

“We wanted to. Karl was against it, said it was a waste of time to even ask.”

“His son Ethan told me he came to you months ago. Well before the final appeal.”



“I must say, Mr. Hogarth, you don’t waste time. Yes, Ethan approached us and we acted accordingly. He’s just confused about the timing, that’s all. The appeal was well underway before we spoke. Even if we could have brought you on board, I doubt you would have had more than a day or two to pull a rabbit out of your hat.

“Seems like something Ethan would have known.”

“Ethan Dutton’s area of practice is considerably different than ours. I’m not surprised at all. We have you now don’t we?”

“Albeit after the appeal process has been exhausted.”

“It’s not over until it’s over.”

“No it’s not and the clock is ticking. I’ve got plenty of work to do.” I turn to leave and David grabs me by the arm. “My door is always open, Will, whatever you need. But I’m certain that the courts already have the right man, that’s all.” I nod and his grip tightens. “And if it’s all the same to you...” he glances toward Curtis. “...I’d appreciate it if we keep all of this between us.”

“It’s my professional duty.”

“Thank you.”

I glance toward the house then back at David. “You can tell Curtis that once I’ve had a round with Elizabeth, he’s next.” And with that I abruptly depart.

## Chapter 12

The drive from Tarrytown to downtown Austin is mere minutes. I plan to make an unannounced visit to the office of the Texas Capital Defender's group on Congress to see what actions, if any, have been taken with regard to my client. The impromptu nature of my arrival is intended to avoid a prepared and well-spun response regarding their plan of attack in the upcoming weeks. I assume there's been involvement during the appeal process. I just don't know the extent. And with the execution looming, Karl Dutton will need some extra effort and their specific area of expertise. I have no reason to doubt the efforts of the Defender's Group. Their charter is noble and their results well-documented. But I'm gaining a growing sense that with the exception of Ethan Dutton, the execution of Karl Dutton may well come and go without so much blip on anyone's radar, including his defense lawyers and the media as a whole.

For now, I need to drive around town a bit to take hold of what I just witnessed, to make sense of the hammer to the head that I never saw coming. One of Karl Dutton's defense attorneys is intimately involved with the very man that Dutton vehemently maintains was involved in the murder of his ex-wife. I'm quite certain that the State Bar may take exception to David's actions, but they won't hear about it from me. I'm a man of my word—and maybe just a bit of a fool.

Can I really believe David would step aside if I found evidence indicting Curtis? Or even worse, has he already turned a blind eye? Who's to say the relationship didn't start seven years earlier and that David held back in court for the sake of his new love? Maybe I rolled my eyes at Karl Dutton's suspicions too readily. Could it really be this easy? Could David and Curtis have set up Karl Dutton from the start?

After fifteen minutes of touring downtown's amiable neighborhoods, most of which has been converted to law firms, real estate offices and art galleries, I head east on 10<sup>th</sup> street then south onto Congress Avenue, into the heart of the city. The stately image of the capital building fills my rearview mirror.

I've come to love Texas history and the unmatched pride that's attached to it. I've found there are few better places to inundate oneself with that history than the pink limestone capital building itself. In the month since our arrival to Austin, we've toured the storied building two times. Michael keeps a leather bound Time Life book of Texas history next to his bed and there's seldom a night that we don't lie together reading the tales of the likes of Sam Houston, Davy Crockett, James Bowie and Stephen F. Austin. As they say, we weren't born here but we got here as fast as we could.

When I finally get my head on as straight as it's going to get, I head to the offices of the Texas Capital Defender group on the south end of Congress, just north of the river. I'm greeted cordially and escorted to the modest office of Hillary Pride. She's a young lawyer with all the fight and vigor I've

come to expect from a liberally grounded Austinite—the very spirit Karl Dutton will need in these final weeks.

The Texas Capital Defender Group, commonly referred to as simply the Defender Group, is a non-profit that represents about thirty percent of all inmates on death row. They do nothing but capital appeals and they do them quite well. Throughout the appellate process, all eight years of it, the Defender Group is available to file hard copies of appeals with the Court of Criminal Appeals, arguably the most effective means of getting an appeal in front of the court in a timely manner. Ms. Pride speaks with an apologetic tone as we settle on either side of her desk. “As you can see, Mr. Hogarth, our staff is quite limited, and while we abhor the notion of executions as an acceptable means of justice, we are left to pick and choose the cases we handle.”

“And what are your criteria?”

“To be quite honest, the decisions aren’t made under strict guidelines. We like to maintain our identity as a grass roots organization in existence for the sole purpose of defending death row inmates. We’re held under no stringent instruction or obligation to qualify our selection process with anyone. Admittedly, we have our ears open to public outcries, but for the most part, we base our decisions on the evidence we’re provided.”

“And you didn’t find evidence that supports my client’s innocence.”

This brings a frown and a touch of blush. “Again, Mr. Hogarth, our resources are limited. We rely heavily on the involvement of the inmate’s defense team. If we feel strongly that the claim has merit we proceed accordingly.”

“And in the case of my client?”

Her look is one of confusion. “I’m sorry...are you new to this case?”

“Very much so.”

“There may be some misunderstanding as to our involvement. We’re well aware of Karl Dutton’s looming execution but our services have never been requested, not throughout the appellate process or in the weeks following. To be quite blunt, our few minutes here today is the first and only time Karl Dutton’s team has stepped foot in these offices, much less solicited our services.”

I’m dumbfounded.

“The Dutton case hangs like a dark cloud over these hallways. I fear there’s a certain guilt that is destined to linger around this office for some time to come.”

“Well, maybe we can remedy that together. Can I count on you to file any last minute appeals with federal court?”

“Do you have something worthwhile?”

“Not yet, but I’m close.”

“We’ll be here for you.”

“We also need to get the ear of the governor and the office of the attorney general. Let them know we don’t intend to go quietly.”

“They’ll want something of substance.”

“Put them off as long as needed. Keep ‘em guessing. I’ll give you something.”

“So you’ve found something?”

“Quite possibly.”

“Do you care to share this new evidence with me?”

“Not just yet. But you’ll be the first to hear about it.”

We rise and shake hands. Her grip is firm, her stare intense. I know I’ve awakened a sleeping giant, a key player that may just be the difference between a stay of execution or death. I’ve done so with nothing but a lie and a look of self- assurance.

I’ve got nothing.

## Chapter 13

The call came in during the morning staff meeting at the Polunsky Unit. Warden Del Kruger's secretary pops her head in his door. Her boss is surrounded by his six unit chiefs. She correctly deems a call from a fellow warden worthy of the interruption.

"It's Warden Stark from the Arkansas Tucker Unit."

Kruger nods, quickly thumbs through the remaining nightly reports and dismisses his crew. "We're good here, gentlemen. Batten down the hatches. Let's make today a good one." The six men don their caps and head to their respective posts.

Warden Kruger pauses a moment to ponder the unexpected call before picking up. There's a certain bond between wardens, a mutual respect that can only be fully appreciated by a counterpart spending his most productive years in a mostly thankless and often dangerous career. Del Kruger met Warden Charles Stark at an annual conference in Tampa several years earlier. The connection between them was immediate, but impossible hours and daunting responsibilities limited the burgeoning friendship to a handful of phone calls per year.

Kruger summons an upbeat tone. "To what do I owe such a pleasure, Charles?"

"Good morning, Del. The pleasure is all mine. I hope I didn't pull you away from anything."

"Just the usual, Charles. Reading the sports page with my feet up on the desk."

"Yeah, sure, me too."

"You headed to Memphis next month?"

"I'll be there, though I'm not certain who chooses these locations. Nothing against the 'Home of the Blues' but what's wrong with Vegas or Honolulu?"

Warden Kruger drops down in his chair and leans back. "I'll be there as well. I look forward to it."

They share a moment of silence, knowing this is more than a social call. "What's got you thinking about a lowly Texas warden this morning, Charles?"

"It's about your upcoming execution," Stark says bluntly. "This Dutton fellow. Not exactly your garden variety perp."

"That he's not. But we're equal opportunity executioners here in Texas."

Stark gives the Texas bravado an awkward chuckle. "That's no secret to the rest of us, Del. You're the reigning champs twenty years running."

“Twenty-two to be exact, but who’s counting. I know you didn’t call just to pat me on the back. What’s your interest in Dutton?”

“Perhaps it’s nothing really, but I figured a man’s life is worthy of at least a phone call.”

“Of course.”

“I’ve got an inmate here been spouting off for weeks about Dutton’s wife. He’s claiming he was the one that killed her.”

“One of those, huh?”

“I know how that sounds, Del, but before you say anything let me assure you I wouldn’t be calling you unless I thought there could be something to it. If I had a nickel for every inmate that claimed involvement in a crime just to have their moment in the spotlight...well...I suppose I’d have a hell of a lot of nickels.”

“Why now? Where’s he been the last eight years?”

“Right here with us. And he’s not leaving anytime soon. He’s a lifer with nothing to gain. Name is Leonard Allen Poe. Those close to him call him Lenny, most just call him crazy.”

“And all of sudden this crazy Lenny Poe is feeling self-righteous?”

“He claims he knew nothing about Dutton’s trial or the outcome. And that’s probably true. That was eight years ago. If our records are correct—which I assure you they are—he was holed up in our max wing during that time period. No access whatsoever to the outside world.”

“And now?”

“He has some privileges, one of which is the television in the common area. He recently saw Dutton on the news and he hasn’t stopped talking about him since.”

“And what makes him special, Charles? You know these types as well as anyone.”

“His insistence for starters. Guards and inmates are tired of his continual banter on the matter. He was making quite a scene so my boys took him down and threatened the hole. For most, that puts an end to whatever’s got them worked up, but not this guy. He didn’t keep quiet more than an hour. A few days later, his own cellmate roughed him up good enough to land him in the infirmary.”

“Any previous history of this sort of behavior?”

“None. That’s just it. And we’re talking a full eight years. But there’s more, Del. I did some research and found that Leonard Poe was living in Taylor, not far from Austin during the time Dutton’s wife was killed.”

“And I suppose he knows details only the killer could know.”

“That’s where the problem arises. Poe has some conditions he wants met before he tells all.”

“Give ‘em an extra pack of cigarettes and a hot bath in exchange for workable proof.”

“He wants a lawyer.”

“So get him a lawyer.”

“He doesn’t want just anyone. He’s adamant about speaking directly to the prosecuting attorney in charge of the case.”

“That’s not going to happen, Charles. I can’t ask the DA’s office in Austin to travel to Arkansas without something to go on. They’ve already tried Dutton and exhausted all the appeals. They’re quite confident they have the right man. Can’t you just tell this Leonard fellow we need something more or he can forget about speaking with anyone?”

“Come on, Del. You know this isn’t off the cuff. I talked myself out of this call a dozen times before I dialed. I’ve been at this as long as you. These boys in here are mostly full of shit, but you learn to separate the shit from the soil. And I think there’s something to this. If you spent five minutes with this guy, I think you’d agree.”

“I meant no offense, Charles.”

“None taken. I’d feel the same in your shoes.”

“I just doubt anyone’s going to be willing to sit with this Poe in time to make a difference.”

“It was worth a call.”

“I suppose.”

“It’s my rep at stake, Del. Not yours,” Stark says.

“I’ll see what I can do. But I can’t promise anything.”

“That’s all I’m asking.”

Warden Kruger places the phone down and sits in silence several minutes. A part of him wishes the call had never come. A larger part is encouraged by the notion. Maybe Karl Dutton is innocent after all. It’s a claim Karl has made vehemently since the very day he stepped foot on the mile.

In his time at the Polunsky Unit, Warden Kruger has overseen more state mandated executions than any other warden in the country. Two-hundred-and-one to be exact. One hundred-and-ninety-nine men and two women, each of whom he’s taken some effort to connect with on a personal level. They are the worst of the worst, but they’re still living, breathing, and in most cases, feeling human beings. Del’s contention is that they deserve some modicum of humanity in their final days.

Del Kruger is as tough as they come, but he's a man who carries a nightstick in one hand and a Bible in the other. And in the eight years since Karl Dutton has called Polunsky home, Del has reached out to his most reformed death row inmate hundreds of times. Despite a hectic daily routine, the warden has made it a point to spend a little time each day on a chair just outside Karl Dutton's cell. Sometimes he shares God's good news; other times he discusses the events outside prison walls. After eight long years of exchange, it's no secret among the staff that Warden Del Kruger has a special place in his heart for their next in line to die. A chance to save his life would not go unheeded.

Del Kruger picks up his phone and places a call to the Office of the Attorney General in Austin.



## Chapter 14

My alarm sounds as usual at six a.m. and I'm up with a start. Lacey squirms but shows no signs of waking any time soon. Our night was reminiscent of years gone by, with both hunched over stacks of notes and books well past midnight in an anticipation of looming exams, me in some droll cost accounting text, her absorbed in the intricacies of the great masters of literature. Last night's area of study was a three inch stack of court transcripts split evenly between us. Lacey bailed out around two a.m., and that was my last cognizant memory for two hours before waking up with my head on my desk.

I'm filled with a sense of urgency that won't subside until I'm confident the right man, or woman for that matter, is paying the price for the death of Virginia Crowley.

I prep the coffee, hit brew then head to our small study to pick up last night's mess. Papers are strewn in every which direction. If Michael or Ellie wandered in there'd be hell to pay for their parent's hypocrisy. I gather our scattered notes into a neat pile and head out onto the back deck. The sun hasn't made its way over the horizon but the temperature is near eighty, warm but pleasant for the time being. I sit beneath the glow of the porch light in a cushioned chair with my coffee on a rickety side table and shuffle through last night's notes.

It seems David's explanation that he "went after" Elizabeth is not completely baseless, though it certainly doesn't rank up there with the likes of Boise, Bernick, Chesler, or Hollywood's Jack McCoy. His pursuit of Karl Dutton's claim that Elizabeth had lured him to Virginia's penthouse was aggressive and seemingly passionate, but the text suggests that she never once wavered. She continually denied all involvement. And of course there's no proof whatsoever to the contrary. Phone records confirm that Karl did, in fact, receive a call from Virginia's penthouse, but whose voice he heard on the other line is his word against hers. The prosecution maintained it was Virginia who placed that notorious call. The content of which drove Karl Dutton into a fit of rage. As an added reassurance of their confidence, they took a pass on questioning their own witness, a clear message to the court and Karl Dutton's defense team that accusations against Elizabeth Crowley were nothing more than show.

Karl Dutton's representation in court was limited to father and son. Richard Halston seldom showed up in the courtroom, a peculiarity given that Halston is widely regarded as the firm's strongest litigator. The decision to forgo his skills speaks of reckless or misguided confidence in the ultimate outcome.

Jonathan Moore's moment in the spotlight brought credence to the possibility of the once widely accepted theory that Virginia Crowley had taken her own life. The text suggests that struck a chord with Judge Thornton, given her continual overruling of the prosecution's objections.

Jonathan put Virginia's well-regarded and seemingly well-prepped psychiatrist on the stand. He confirmed that he had written a variety of psychotropic prescriptions for Virginia over the years and

was more than willing to detail the link between chronic depression and suicidal tendencies. He described his patient as clinically depressed and showing signs of a possible bipolar disorder. The prosecution reacted in kind, skewering the good doctor on his lengthy history of court appearances, nearly all of which were upon the request and funding of defense lawyers.

Jonathan was allowed to recant the claims but opted to use the moment for a well-planned and perfectly timed bombshell. He informed the court of Virginia Crowley's failed attempt at suicide just one year before her death. He posed the shocker in the form of a question, allowing the claim to be substantiated by the psychiatrist.

I can only imagine the hush that fell over the courtroom. Virginia had been rushed to Brackenridge Hospital in an unconscious state. Doctors pumped her stomach and, as Jonathan described, miraculously saved her life. The occurrence was corroborated by hospital records.

The prosecution responded with a risky rebuttal, suggesting that Karl Dutton had been responsible for the overdose, that he had tricked his then wife into ingesting a lethal cocktail of drugs. Jonathan objected several times and did his best to mock what he referred to as a feeble effort on the part of the prosecution. And that's where the suicide angle both began and ended.

Lacey and I both found little to suggest that the talk of suicide changed the tide of the proceedings, despite Jonathan's continual efforts to remind the court that suicide could not be summarily dismissed as a cause of death. It seemed his bombshell moment was just that—a moment, and a very fleeting one at that.

Lacey joins me on the deck with a mug of coffee in one hand and my cell phone in the other.

"It keeps buzzing. It's making it hard to sleep," she says with sleepy eyes. She hands me the phone and I retrieve a most unexpected voicemail.

"Who is it?"

"Elizabeth Crowley." I disconnect. "She wants to meet with me."

"That quite surprising," Lacey says.

"Yeah."

"You don't suppose someone contacted her, do you?"

"If you mean David or Curtis I'd have to say no. David claims he hasn't spoken with her in years and Curtis once claimed she was a killer. Anyway, I can see no need for them to alert her of my intention to meet."

"Just seems coincidental, that's all."

"Agreed." I check my watch. "Our new houseguest should be here shortly."

“Wonderful,” Lacey says with an intentional tinge of acerbity.

“It’s for the best, Lace.”

She shakes her head and turns away. “I’m going to take a shower.”

At precisely seven a.m., Hector Flores is at our door. He’s well-tanned and fit, much shorter than I expected at about five-eight, but with a look that suggests he’s not one to mess with. He wears jeans, comfortable shoes and a button down shirt that no doubt conceals his preferred armory. He greets me with an unexpected bright smile.

Ethan described him as a former Navy Seal with twenty-five years of police work under his belt. I expect hard and grizzled. What I see is engaging and personable. I suspect Ethan chose him accordingly, a decision I immediately appreciate.

“Please, come in.”

Hector steps inside and gives the room a quick once over, an occupational habit I’m fully in tune with. “Nice place.”

“Just a rental.”

Lacey joins us with Michael and Ellie by her side. We make cordial introductions, followed by a long awkward silence.

Ellie breaks up the malaise. “Are you here to ‘tect us?” she asks.

Hector crouches and takes her by the hand. “I think your big brother can take care of that, little lady,” he says with a fatherly tone. “I’m just here to help out a bit that’s all.”

“Like cooking and cleaning?”

Michael rolls his eyes. “Geesh, Ellie. He doesn’t cook. He’s a police officer.”

“A pleece officer?” Ellie asks.

“Police officer.” Michael repeats.

Lacey wraps her hand around Ellie’s shoulder and pulls her in. “That’s enough you two. Mr. Flores is here to help with Daddy’s new case. He’ll be staying with us a while.”

“Ellie’s right. He’s here to protect us,” Michael says.

“Why, Daddy?” Ellie squeals.

I give Michael a stern look. “There’s nothing for you to worry about, baby girl. Why don’t you and your brother go have some cereal? Michael, take your sister into the kitchen.” He hesitates a moment. I sharpen my glare. “Now.”

“Sorry about that,” Lacey says.

“Not at all.” Hector rises back up. “Kids are perceptive these days. Yours seem sharp.”

“Maybe too sharp,” I say.

“No such thing.”

“I’m sure you have some things to unpack,” Lacey says.

“Just a few things in the car.”

“I’ll help you with that,” I say. We retreat to his car parked along the curb and pop the trunk. “I guess we can make room for the car in the garage.”

“If it’s all the same to you, I’d prefer to leave the car out here. Maybe Markovic will think twice about dropping by.”

“Makes sense.”

He pulls out two small luggage bags and drops them on the sidewalk, then hands a third to me. The contents are quite heavy

“What’s in this one?”

“Computers and such. I intend to stay in continual contact with my guys. If Markovic starts feeling any heat he may take the offensive.”

“You mean come for us.”

Hector nods and closes the trunk. “No worries, Will.” He hoists the bags. “We’ll know well ahead of time if he’s headed this way. He gets anywhere near here, he’s ours.”

“Maybe this time we can lock him up and throw away the key.”

Hector’s cheery demeanor crumbles a bit. He steps in close and places a hand on my shoulder. “I’m not going to mince words with you here, Will. This Markovic is one clever and evil bastard. I don’t intend to fall prey to his games.”

“What do you mean by that?” I’m quite certain I know exactly what it means. Ethan was quite clear on their no nonsense methods.

“If he gets anywhere near this place I’m taking him down. Shoot first and ask questions later. That simple.”

I give a feeble nod.

“You on board, Will? You’ve got a wonderful family in there.”

I nod slowly at first but with increasing steadiness. Thoughts of Markovic and his list of kills spur my intensity. “Yeah, I’m on board.”

He taps my shoulder. “Good,” he says with a wry smile. “Now let’s break down our game plan. Markovic may already be enacting his.”

“I’ve got a pot of coffee on.”

“Now we’re on the same page.”

## Chapter 15

It has been nearly seven years since Magdalena Huzjack endured the long helpless months of brutal captivity and physical abuse at the hands of Brajko Markovic. Imprisoned in a crudely constructed catacomb crypt beneath the Markovic farmhouse on a rolling hill on the outskirts of Sresnic', Bosnia. But for Magdalena, it remains as clear and horrific a memory as if it were yesterday. The ensuing years have been marked by a slow but steady decline of the once vibrant Queen of Sresnic's Fall Festival.

Magdalena has become recluse, simply impossible to reach, buried deep within her jumbled brain and suffering from an unprecedented case of psychogenic amnesia that simply won't subside. Without the means to seek much-needed professional help in far off Sarajevo, her parents, Kalisto and Fabela have traded their life's meager resources to comfort their daughter in what can only be described as an endless journey down a dark ominous path of continual deterioration.

The captivity of Magdalena Huzjack and two of her former classmates is an episode that has stained the annals of the otherwise charming village on the outskirts of the majestic Alps. It's a crime perpetrated by one of their very own, a monster raised among them. The atrocities of Brajko Markovic have left an indelible mark on the psyche of every soul in the quaint village.

From the onset, there was something different about Brajko. A difference that was not well-received or understood in this village of hardworking and hard-drinking textile workers. Brajko possessed an elevated intellect that his peers found queer and the adults deemed useless, including his very own parents. Left to feed his heightened curiosities on his own, he withdrew from his surroundings and into the recesses of his brilliant mind. Books and scientific journals were his only contemporaries, widening the already vast gulf between the young Markovic and the simpletons of the small village.

But Brajko Markovic was more than a mere prodigy. Many thought him to be born with a dark and evil soul. A more technical and well documented explanation of this odd boy from the small Bosnian village would have been an acute case of bipolar disorder with severe manic episodes of psychotic behavior. And in time, these disorders manifested themselves in a most horrendous way.

Authorities were tipped off by Brajko's own mother of the existence of a man-made prison beneath the Markovic farmhouse, a revelation that ultimately led to her untimely and heinous death. A death that imitated and by virtue, solved, his father's murder years earlier. It was soon learned that crossing Brajko Markovic never ended well.

Markovic escaped the small Sresnic' jail in short order and simply vanished. The bounty remains on his head, a reward that Kalisto Huzjack came very close to attaining.

After word surfaced that Brajko was living in the United States under an assumed name, the village flooded with opportunistic bounty hunters. For Kalisto, it was the long awaited chance to bring justice for his daughter and closure to his own troubled mind. Weeks of thorough planning brought him to the precipice of success. Kalisto downed Brajko with a single shot of his breechblock rifle, piercing his chest and sending him sprawling on the cold hard ground like the savage mongrel he was. But

Kalisto had put too much faith in this sole heroic attempt. Unbeknownst to him, Brajko Markovic survived.

Though strapped to a gurney and under the watchful eye of authorities, Brajko disappeared once more. For three straight months, US Marshals tracked the fugitive to all corners of the earth, but the brilliant and elusive Markovic remained one step ahead. Content that authorities had completed their interrogation of Sresnic', he returned to his homeland to settle a score.

Magdalena Huzjack lives in the utter filth of rodents and her own defecation. Her much needed care is gone but still seemingly within her grasp. The decaying bodies of Kalisto and Fabela Huzjack lay side by side on the kitchen floor of their meager Sresnic' home. Magdalena paws at their hands and strokes their hair, pleading for their help. Four days have passed and Magdalena is starving to death. Brajko emptied the already sparse cabinets and sealed the outside doors.

It would be weeks before the stench would bring authorities to discover two bullet-ridden corpses and the ravenous remains of the former Queen of Sresnic's Fall Festival.

## Chapter 16

Despite the fact that Elizabeth Crowley unexpectedly returned my initial phone call, it has taken two full days and a series of voicemails to finally connect. That's just the way it plays out most of the time in this profession.

Elizabeth owns an impressive home in the Travis Heights district just north of downtown Austin. If her intent was to one-up her ex, I'd say she's succeeded. It's a beautiful estate, a refurbished Tudor with all the trappings of modern construction and just the right amount of original design. I suspect she spent a nice chunk of her inheritance on the purchase, with every bit of the interest she earns on the balance going directly to property taxes. To each his own, or her own as it were.

Elizabeth greets me with a pleasant smile and a firm handshake then leads me to the kitchen. She's wearing khaki shorts and a sleeveless blouse. Her arms are trim and fit, no stranger to the gym. She's attractive, not striking, but well maintained and with a certain confident sex appeal. Her hair is cut in a short bob, sophisticated with just a touch of fun.

I know from my background work that Elizabeth is well-respected commercial broker, specializing in the sale of small to medium sized businesses. She works independently these days, having spent several years learning the trade with one of the larger downtown firms. I'm left to wonder how she ever "hooked up" with a man like Curtis Crowley, or rather how Curtis ever closed the deal with her.

"Can I get you anything? Coffee? Soda?"

"I'm good, thank you."

She pours herself a mug of coffee and we sit down at the kitchen table. She takes a long sip.

"Thank you for meeting with me," I say. I intend to keep the tone congenial and see how far that takes us.

She smiles and stares down into her cup. "Maybe you're the one," she says with a sinister smile.

"What do you mean?"

"Maybe you're the one who can finally set the naysayers straight and prove I had nothing whatsoever to do with the death of Virginia Crowley." Her demeanor suggests the alleged accusations bear little sting. I suspect Elizabeth can hold her own with the few remaining doubters who cross her path.

"I'll see what I can do."

"But I don't suppose that's why you're here, is it? You're working for Karl Dutton. You're looking for a last minute nugget of gold in hopes of a stay of execution."

It's clear we won't be dancing around the issue at hand today. Elizabeth doesn't mince words.

"Just getting the facts."

"Just the facts, ma'am," she says in her best Joe Friday. "Well I'm afraid I'm going to disappoint you, Mr. Hogarth. I've told a string of investigators and reporters all the same thing. My hands are clean."

I smile and deliberately shift gears. "It's a beautiful house, Ms. Carpenter."



She gives me a pleasant smirk. "You're the first of your kind to refer to me by my maiden name."

"That is your preferred name, isn't it?"

"Has a nicer ring than Crowley, don't you think?" She looks around with a sense of pride. "She still needs a little TLC to get it just like I want, but it's a labor of love. You're home's your castle, wouldn't you agree?"

"Mine's more like a servant's quarters by comparison."

She finds this amusing. "I *do* like room to stretch out."

"It's awfully large for one person."

"And now we've come to the part where we explore my personal life."

"Guilty."

"I'm in a committed relationship. Anything else?"

"Roommates?"

"Only when my urges need to be met," she says with a sassy sexiness.

"Anyone I know?"

"It depends on who you know."

"I don't think we run in the same circles. Tell me what happened with you and Curtis."

"We split. People do it every day. What else?"

I tilt my head and give her my best disappointed look.

"Fine. Once we each had our own money we couldn't see any reason to stay together any longer."

"So you split right away?"

"I'm guessing you already know that answer but I'll oblige you. We didn't file for divorce for nearly a year after Virginia was killed. We were quite aware of how a quick separation might have looked."

"And how's that?"

"That Virginia Crowley's death was a convenient means of ending a rotten marriage."

"I don't follow."

"Sure you do."

"Ok, maybe."

You're charming, Mr. Hogarth."

"I've been told."

"You're well aware that Dutton's attorneys would have exploited a quick separation as proof that Virginia's death and the ensuing estate was an all too convenient turn of events for an already crumbling marriage."

"Take the cash and split."

"Precisely. Admittedly, our marriage was a mistake from the start, and truth be told, it had become nothing more than a bond of convenience for some time. You see, Curtis is a bit of a sloth, not

exactly the stellar breadwinner a women hopes for. I paid most of the bills. He found that arrangement a bit too comfortable.”

“And you?”

“I was keeping my options open by staying put for the here and now.”

“And a possible tidy inheritance aided in that decision.”

Elizabeth gives me a cunning look. “You’re something, you know that? Truth is, I cared for Virginia, Mr. Hogarth. Probably more than she cared for herself. She was a bit of a train wreck to be quite blunt. Her drinking had gotten out of control and I know for certain she wasn’t adhering to her meds.”

“Meds?”

“Anti-depressants mostly. But you know that as well. Virginia attempted to take her own life a year before her death. I was the one who found her convulsing on the floor of her penthouse. Doctors told us she had ingested enough prescription drugs to kill a horse. Had I found her only minutes later, we wouldn’t be sitting here talking today. Now what do you make of that, investigator? If I had wanted her dead, I could have simply watched her die.”

The obvious conclusion to Elizabeth’s point is like a dark cloud lingering between us, I can’t bring myself to bring it full circle. Elizabeth spares me the embarrassment.

“I couldn’t bear to live another twenty years with Curtis, but if Virginia intended to check out early, I’d be damned if I wasn’t going to get part of the inheritance. So I stuck around in the event she might succeed with the next attempt. I’d been supporting her no good son for five years after all. I’d say I earned a little payback. I suppose that sounds pretty terrible, doesn’t it?”

“Not really, just so long as you didn’t hasten her death.”

“No one did more for Virginia Crowley’s mental health than me. I visited her more than anyone. We shopped, did lunch, movies...”

“Just a couple of girls about town.”

She gives me a jaded look. “I mourned Virginia’s death, Mr. Hogarth. I still do.”

“Fair enough. Forgive me.”

“You’re on a short leash.”

“Noted.”

Her look softens.

I continue. “I’ve come to learn a bit more about Curtis in recent days that may have played havoc on your marriage.

“That he’s gay?”

“Yes.”

“I suppose that caused issues.”

“It would have been nice to know before we tied the knot.”

“How long before you found out?”

“Not long. It was right about the time I found him in our bed with another man.”

“Ouch.”

She waves this off. "I'm past it, believe me. If there was a shred of love left between us it may still hurt. But there's nothing there. Nothing at all."

"Any contact with him?"

"None."

"So let me make certain I understand everything that preceded Virginia's death. Virginia's son is in a bad marriage, held together by the need of a spousal income on one hand and an anticipation of an early inheritance on the other. The former would be you, of course. Both parties desperately want out but the timing isn't right and there's no saying how long it will be before it is."

"Desperately is your word, not mine."

"With nowhere left to turn, fate hands them a most unexpected gift. Out of the blue, Virginia's ex-husband is the answer to all of their prayers."

"You're on a slippery slope, Mr. Hogarth."

I move ahead with the appearance of one undaunted, but I know my time with Elizabeth can end abruptly if I'm not careful. "A man who opted to leave his marriage, unlike you and Curtis, suddenly returns with a vengeance and launches his ex-wife over the balcony of her penthouse suite."

I'm prepared to be escorted out but Elizabeth gives me a confident glare. "You have all the facts correct. Well done. What more can I give you?"

"A reason why this doesn't sound logical for starters."

"It's quite logical, Mr. Hogarth. Karl Dutton was steeped in motive."

"Yes, the elusive offshore funds. Tell me, has anyone ever found those?"

"Not of my concern."

"Do you think they truly exist?"

"I know what Virginia told me and I'm inclined to believe it."

"So she calls you to her place and tells you that Karl deceived her during the divorce proceedings. You, being her most trusted friend and all. She tells you she has proof that his net worth is much greater than he led her to believe, and that her share of the divorce proceedings should be considerably larger. You see it as a chance to up your inheritance so you place a call to Karl Dutton and tell him Virginia needs to see him right away. What did you tell him, Elizabeth? That Virginia had overdosed again? That she was threatening to kill herself? What did you say to get Karl Dutton to the scene of the crime?"

"Nice try, Mr. Hogarth. But I'm not falling for it. I didn't place that call. Karl Dutton received a call from Virginia's home but it wasn't from me. Strike two. Anymore games and we're done here."

"So who called? There's no disputing a call was made."

"Virginia, of course. She was more than capable of handling her own affairs."

"Tell me why I should believe your rendition of events."

She answers with a mocking ring. "Oh I don't know, perhaps because a jury, the DA and eight ensuing appellate court decisions support my version of events."

"I guess you've got me there, Ms. Carpenter."

“Look. I don’t know about Karl Dutton’s affairs. Maybe he had off-shore funds or maybe he just kept his money buried in his backyard. Who knows? But the belief that he had a lot more than he was letting on was shared by many people. As it turns out, his own defense team no longer disputes the fact.”

Elizabeth has slipped, get ‘em talking and they almost always will. In this particular instance, I’m not sure what to make of it. “How is that something you would know?”

Her face reddens around the edges, the confident visage dims. “An assumption, that’s all.”

“Weak answer. Try again.”

“I think it’s time you leave, Mr. Hogarth. I allowed you to come against my better judgment. I see I should have left well enough alone.”

“I think your decision to meet with me was prompted by a phone call. Who might that have been? Curtis perhaps?”

“I think we’re through.”

“How about David Moore?”

She pushes her chair back forcefully and gets up. “Time’s up.”

*Now why did that name stir such emotion?*

“I thought you wanted to clear your name, to finally quiet the naysayers.”

“I can see that was a mistake,” she says derisively. You clearly have an agenda and a pre-disposed position on the matter.”

“I just want the facts. That’s all.”

“Well, I’ve given you plenty. And it’s quite plain I’ve done nothing to settle your mind on the matter.”

I remain seated. “I guess there’s just one thing that I keep holding onto,” I say in my best Colombo. “That pesky unexplainable oddity that’s never quite been clarified.”

“Against my better judgment I’ll bite. What oddity is that?”

“The fact that your ex-husband accused you of killing Virginia Crowley. I can’t seem to get past that. Why does someone do that seemingly out of the blue? And eighteen months after the trial? Help me understand.”

Elizabeth slowly sits down, her eyes fixated on her hands clutched in front of her. “It was a messy divorce,” she says. “Curtis was angry with me.”

“He got what he wanted, a nice settlement and his freedom. I think there was more to it. I think he knew something the rest of us don’t, a critical piece of evidence that proves you’re not nearly as innocent as you claim to be.”

Once again, Elizabeth’s reaction is not what I expect. I’ve all but accused her of murder and nothing resembling fear or concern registers on her face. It’s clear I’m not going to get the investigator’s dream of a coerced confession here today. “Give me something, Elizabeth. Provide me a better reason than an ugly divorce and I’ll check you off my list.”

She crimps her lips and looks across the room. Her response is not at all what I anticipate. “I stole David Moore from Curtis.”

This is why I stink at poker. My face does nothing to mask my surprise.

"I've thrown you off guard, I see."

"It's not news to me that David Moore is gay, if that's what you mean. If we're being completely honest here, I'm already aware that Curtis and David are an item. But somehow, I think you already knew I was aware of that."

She doesn't dignify this with a response.

"Was the relationship going on during the trial?"

"Absolutely not," she says firmly. "David was hell bent on hanging us out to dry in that trial." She taps her index finger on the table to drive home her point. "There was no impropriety on his part whatsoever. What happened between us was much later. He was determined to clear Karl Dutton's name during that trial. They all were. David, Jonathan, and Richard were relentless."

I make note of this with the skeptical mind of an investigator. It seems a bit less than honest. An exaggerated attempt to prop up David Moore.

"So when did this relationship begin?"

"About a year after the trial. David and I bumped into each other purely by chance on a Friday night. As they say, one thing led to another. He's quite dreamy if you haven't noticed."

"And quite gay if *you* haven't noticed."

She frowns. "All the good ones are either married or gay. Of course I had no idea at the time."

"How long before you figured it out?"

"David and I carried on a steamy affair for two glorious months. It was quite wonderful if you need to know."

"I don't. And then what?"

"And then I spot him quite innocently, with Curtis. I wasn't sure what to make of it at the time. It was just coffee downtown. Innocent enough on the surface, but it seemed odd that he never mentioned they were still in contact. Of course, we didn't talk a whole lot during those two months." Her eyes are glossy. "Anyway, I followed them from afar, and where do they lead me?"

"To Curtis's place."

"Yes. Hand in hand. I don't know whether I was more shocked or devastated."

"You had feelings for him."

"How couldn't I? I'm a lady, Mr. Hogarth. I don't simply give of myself in that manner without emotion."

"Did you call them out on it?"

"Yes, and in the worst possible way. I stormed in and caught them in the act." She shakes her head. "I don't suppose you can imagine what it's like seeing the only two men you ever cared for in the throes of..." She stops short of saying it out loud.

"I'm sorry you had to see that," I say genuinely.

"Well it didn't end there. You might think one would storm out after seeing such a thing, but I just stood there. We all did. Of course, I was the only one actually standing at the time. I was crushed. Curtis seemed confused. And David looked as if he'd seen a ghost."

“Curtis looked confused? He didn’t know about you and David?”

“He was as oblivious as I was.”

“David was playing you both.”

“Yes.”

“So it ended that day for you, but Curtis got over it and continued on.”

“It embarrasses me to say, but no, no it didn’t. David and I worked things out and continued right along like nothing had happened. To be honest, the sex was just too good to walk away from.”

“I see. And let me guess, Curtis thought it was over between you two.”

“I don’t think he ever fully believed it was over. So eventually he demanded the truth and David provided it.”

“And you backed down without a fight.”

“Not at all. I knew David and I didn’t have a future together but I liked what we did have. I’d be damned if I was going to let that slip away so easily. David was content to let us fight it out as long as he got what he needed from both of us. But Curtis proved to be a nasty fighter. When I wouldn’t back down he threatened to go public with the accusation that I had killed Virginia Crowley. I never thought he had the balls. Guess I was wrong.”

“And he re-confirmed Karl Dutton’s accusation that you were the one who called him that day.”

“That was his ace-in-the-hole. It’s a bold faced lie but he knew how it would look. It’s one thing for Karl Dutton to make the accusation. His ass was on the line. But for Curtis to make the allegation was all-together different. As far as the general public knew, he had nothing to gain, ergo it must be true.”

“So you let David go?”

“With a promise that Curtis would retract his statement.”

“And despite all of this, Curtis’s feeling for David never wavered?”

“No. I think he’s truly in love with the louse.”

“Has David ever tried to come back?”

“Not once. So what do you think, Mr. Hogarth? I’ve given you my dark little secret. Where does that bring us?”

“It sounds plausible.”

“That’s because it’s true. So how about we end this discussion right here. Time is running out on your client and there’s no sense wasting time heckling the innocent,” she says with a satisfied smile.

“No I don’t suppose there is.” I get up and extend my hand. “I appreciate your time, Ms. Carpenter.”

She shakes my hand. “The pleasure has been all mine.” She waves her hand toward the door. “If you can see yourself out, I’ve got plenty of work to do.”

“Of course. I’m sorry to have interrupted your day.”

“It was time well spent.”

I pause as I pass through the doorway and look back at Elizabeth. “Is there anything you’d like me to convey to David or Curtis?”

“Yes. Give the bastards my best,” she says caustically.  
I nod and leave.

## Chapter 17

The only upside to an investigation with a tight timeframe is the ability to quickly get on the docket of those rooting for your success. It took me just one day to pin down the very busy Richard Halston. We meet at the historic Driskill Hotel on Congress Boulevard with the insistence that it's his treat. I don't fight him on the matter.

We both order sweet tea and Richard adds an appetizer of charcuterie for us to share. He sets his menu aside as if he knows it by heart and strongly suggests the cornbread-stuffed Texas Quail.

"Sounds perfect," I say.

It's clear Richard is well-known in this establishment given that the wait staff refer to him by name. I can't let that slip by without a comment. "Been here a time or two?"

He receives the light-hearted jibe as it was intended. "It wasn't always this way, believe me," he says with an easy smile. "I'm no stranger to brown bagging my lunch. But times are good now. They've been for a while. I, for one, don't mind enjoying the finer things in life. God knows we've worked hard to get where we are."

"Here's to the American dream." I raise my glass then shift gears completely. I've got a habit of being blunt when it's least expected. I set my glass down and levy a zinger. "What impact will Dutton's execution have on the firm?" I ask.

His eyes narrow as if he's never considered the question, a clever trick in the art of portraying wise responses on the spur of the moment. I'm not fooled. It's a game I'm not above playing from time to time myself. "It certainly isn't the type of press we hoped for, but we'll endure."

"Surely no one blames the firm."

He laughs. "People don't need much reason to pin blame on lawyers, Will. We're not exactly the most beloved professionals."

"I suppose you wish he had never come your way, what with all media dealings and the paperwork of the appellate process."

"It hasn't been the easiest case, but it was more a blessing than a curse."

"I don't follow."

"Karl Dutton's case saved our firm from extinction," he says honestly. "If not for his deep pockets, we may have been forced to close our doors."

I'm shocked. "But you've done so well."

"We've always done well as far as our lawyering goes, but we made some bad investment decisions along the way. One in particular—a housing development in South Austin. Given the anticipated growth of the area, it seemed to be a no brainer. I'm conservative by nature but with Jonathan's prodding I jumped in with both feet. He has seldom steered me wrong. To be fair, the only mistake he made on this one was the trust he placed in the primary investor, Karaway Holdings. Five million was the cash buy-in for a fifty percent share. Jonathan and I pooled our funds and were all in. We obtained an additional five million in bank notes and SBA loans using the land as collateral. Construction moved along steadily for six months until the second wave of installments came due. We



put in our share but Karaway came up short—very short. We were led to believe they had a strong cash position, but nothing could have been further from the truth. They were a hundred percent leveraged and not all monies were from respectable sources.”

“What kind of sources?”

“Let’s just say that they were dealing with a crowd that didn’t send out polite late notices in the mail.”

“That type.”

“Yeah. Karaway confessed they were behind but assured us they had the means to make things right. We scheduled a sit down at their offices but they were nowhere to be found. The whole floor was cleared out. They literally ran off in the night. We never heard from them again.”

“Did you try to track them?”

“We put a couple of investigators on it, but with no luck.”

“Do you suppose their creditors found them?”

“Perhaps. Maybe they’re swimming with the fishes as they say. Of course, they could be living in some remote island under assumed names. Doesn’t matter much. If they didn’t have the money they were little use to us. And without their share, our project was dead in the water with more than four million due to our creditors right away.”

“Were you protected personally?”

“Unfortunately, no. Given the extent of debt, our legitimate creditors wouldn’t allow for us to hide behind a corporate label. Our entire firm was up for grabs. Liens were issued on all of our assets and a tight timetable was established. We were going down quick and hoping for a miracle.”

“And along comes Karl Dutton.”

He nods. “Thanks to Jonathan. Dutton is no small player. He has his own lawyers and I’m sure they were chomping at the bit to defend him. But somehow, somehow, Jonathan coerced him our way. Don’t get me wrong, our reputation was strong. The choice was a good one, despite the outcome, but getting someone to leave their trusted counsel is seldom a successful venture.”

“And his deep pockets kept the wolves from the door.”

“And then some,” he says with a wide smile.

“So you saved the housing project?”

“We got it right back on track and eventually sold the unfinished project for a modest profit. Without Karaway, Jonathan and I quickly realized we were out of our element. Dealing with contractors, codes, and regulations is not exactly our area of expertise.”

“So it wasn’t a bad investment after all.”

Richard smiles widely. “I guess I misspoke. It turned out quite nice in the end. I just have a few more gray hairs to color each morning.”

“You had me fooled. It looks so natural.”

He gives me a good-natured sneer over the top of his glasses. “Your time will come, young man. Just you wait.”

For the next thirty minutes Richard provides me with every bit of detail I request. We discuss the overwhelming evidence against Karl Dutton and the irrefutable fact that he was in the Austonian at the time of Virginia Crowley's death. The video footage and witnesses are far too strong to dispute so the defense never made an attempt.

I ask why he didn't work the case. He answers matter-of-factly that it was Jonathan's baby from the start and that they honor each other's decisions in such matters. He adds that he wasn't totally uninvolved, providing his expertise behind the scenes whenever time permitted.

I inquire why the Defender Group was never contacted throughout the appeal process. He responds with a shrug of the shoulder, dismissing the need for their services. MHM's ample staff and years of litigation experience could do it. I don't push the issue farther.

I consider the divergence in the partners' approach in the courtroom based on my findings in the transcripts—one departure in particular. “Why did Jonathan choose to chase down the suicide angle over what appears to be the more promising pursuit of Curtis and Elizabeth Crowley? I see nothing in the records, whatsoever, of him pointing blame in their direction. David went to great lengths to portray them as prime suspects, steeped in motive, yet Jonathan took them in a completely different direction. Why not stay on a consistent course?”

“Quite simple, Will. We were trying to create reasonable doubt, not convict Curtis and Elizabeth Crowley. They weren't on trial. So we offered up as many alternate likelihoods as possible. In this case, all we had were two, not great, but far better than going to bat with just one.”

“Give the juries enough to confuse them.”

“Or at least enough to create doubt.”

“Reasonable doubt,” I say.

“You're catching on.”

I'm not completely satisfied but the explanation is plausible enough to suffice for the moment. I want to know more about David Moore so I move the discussion away from the Karl Dutton trial.

Richard is more than delighted to regale me with stories of their recent successes and their steady rise to the top of their profession. But there's no mention whatsoever of David, so I open that door quite abruptly.

“How's your relationship with David Moore?”

His eyes narrow. He tilts his head back. “It's fine. He still has a lot to learn.”

“Personally?”

“What are you driving at, Will?” he asks with a smirk.

“Just thought I sensed something between you two that's all.”

“Something good?”

“Not exactly.”

“It's a workplace. Our relationship is sufficient to achieve our mutual goals.”

“Any animosity toward him?”

At first, Richard is stone faced. I think he's about to let me have it but then his demeanor transforms, a slow but full shift from annoyance to laughter. He wags his finger at me. "You're something, Will. You know that?"

"So I've been told. Twice today as a matter of fact."

"Alright, I'll play along. But I'd appreciate if we can keep this off the record."

"Done."

"You think there's animosity because David is an equal partner? That despite having come on board after the lean years, he enjoys all the spoils of success that his father and I have worked so hard to achieve? Is that what you think?" He smiles. "I can't say I don't harbor a bit of resentment. But that was the plan from the start. I knew it coming in."

"Do you think he was the best man to put in front of Curtis and Elizabeth Crowley? They were the only other suspects, after all." I watch his eyes closely as he considers his response. I'm searching for some hint that he knows about David's dalliances. There's nothing there. I'm now quite certain that Richard is both unmindful and uninterested in David Moore's sorted affairs.

"We coached him well. He did fine."

"Did he go after them as aggressively as you would have liked?"

His eyes narrow again. "If you're asking whether he could have tripped them up with a more hostile approach, I don't think so. He did surprisingly well given the fact that the prosecution had them well-prepared."

"Surprisingly?"

He only smirks at this.

"How about after the trial? It's my understanding that Jonathan put him in charge of all ongoing investigations. Was that a good choice given his relative inexperience?"

"He was there simply as a contact point for the investigators. All documentation and findings went through him, but were ultimately forwarded to Jonathan."

"Did he choose the investigators himself?"

"No. That was all done by Jonathan. You're headed off in some odd direction here, Will. What's this about? You seem fixated on David's intentions."

I need to bring this train back to the station. "I just need a good handle on how hard he pressed the Crowleys. My time is tight and right now I'm concentrating all my efforts on Curtis and Elizabeth. If I can get a firm feeling that they've been thoroughly vetted, I can move onto finding the real killer."

"And you don't feel that way yet?"

"No, I don't."

"Well, that's a healthy dose of skepticism for a man in your position."

I shift in my seat. "You're saying I shouldn't dismiss them as suspects?"

"I'm saying I don't know, Will. I've had no involvement whatsoever in the investigations."

"But if you were me..."

"If I were you, I wouldn't dismiss anyone, most certainly not the Crowley's." The waiter arrives with a tray of desserts. Richard pats his stomach. "I better not. How about you, Will?" I raise my hand and shake my head. "Just the check," he says to the waiter.

"There's one final question, Richard. Then I'll get out of your hair."

"You're no bother to me, Will. My door is always open."

"Thank you. You've all assured me that offshore funds were ultimately found, giving Karl Dutton a motive to kill Virginia Crowley." I let the comment linger, hoping he'll explain.

"That alone doesn't make him a killer. Many have done the same. It's the deceit that bothers me. Karl looked us in the eyes and assured us he had disclosed all of his finances."

"How much are we talking here?"

"Every bit of the amount that Virginia suspected or at least according to Elizabeth's testimony."

"Who discovered the funds?"

"Jonathan put one of the interns on it. These kids can work wonders on the internet."

"Well then why wouldn't his own son know about the money?"

"Ethan?"

"He says his father gave a great deal away to charity. That there were no remaining offshore funds."

"That seems unlikely. You of all people know the greed of Karl Dutton. Anyway, Ethan is estranged at best. Karl may not have wanted him to know about the money."

"Even now when he's weeks from death?"

"He loves his money, Will. Maybe he wants to bring it with him to the afterlife. I don't know."

"Did you know there's a grandchild involved?"

"No, I didn't."

"Ethan has a son and as he explains it, Karl was a doting grandfather. So if not for Ethan's sake, it seems logical that he would at least want to leave the money to his grandson."

Richard seems to accept this logic.

"What did Karl say when the funds were found?" I ask.

"I'm afraid I don't know. You'll need to ask Jonathan and David that."

"I think I will."

Richard looks at his watch then gets up and extends his hand. "It's been a pleasure, Will."

"The pleasure is all mine. This is a bit of an upgrade for a modest investigator."

He smiles. "It's easy to get used to. Remember, my door is always open."

## Chapter 18

For the first time in months I sleep soundly, waking only twice throughout the night. Both times, I return to sleep with the comfort that Hector is nearby and well-armed. I awake for good at my usual six o'clock and spend the next hour reviewing the court transcripts. Hector pops his head in as a means of conveying his stalwart presence. I find I appreciate his company much more than I anticipated. On a second pass, I wave him in.

"What's up, boss?" he asks.

"Any word from your compadres?"

"All's clear on the western front, amigo."

"Any new intel on his whereabouts?"

Hector is dressed in a tight black tee and camouflage pants. He's taken no efforts to conceal the .45 strapped to his hip. "We've got it handled, Will. Your focus should be here."

"So you know something?" I ask.

"I didn't say that."

"But you didn't dismiss my question with a simple no either. Let me have it. I'm law enforcement, Hector, just like you."

"I know that, Will, but we work alone."

I stare him down for a long while before he gives in. He steps toward the window and draws the curtain back ever so slightly. He considers his words. "We have word that Markovic returned to Sresnic', Bosnia about a month back." He steps away from the window and lets the curtain fall back in place. "What do you know about Kalisto Huzjack?"

My back stiffens and I sit straight up. "What happened?"

"Huzjack was found dead in his home. Bullet shot to the head. Sresnic' authorities are certain it was the work of Markovic. What do you know about this Huzjack, Will?"

"Markovic used his daughter as his personal play thing for months."

"His wife and daughter were there as well. Wife had a matching bullet wound to the skull. The daughter was just dead."

"Just dead?"

"They say she was left to die. Seems Markovic killed the parents and locked her inside to starve to death."

"My God. Hadn't he taken enough from that poor girl?" I try to imagine her final days. "Can you check on my kids?" I say softly.

"I did just a moment ago, Will. They're sleeping soundly. What's this all about?"

I shake my head in disgust. "Kalisto was the one that put the bullet in Markovic's chest. It was revenge for what he had done to Magdalena, his daughter. I'm sure he thought he had killed him."

"Unfortunately not."

"Do you know about Markovic's past?"

Hector nods. "Some. We know he was accused of kidnapping, rape, and was the prime suspect in the death of his parents before bringing his special brand of terror to the states."

"That's right. He was awaiting trial in Sresnic' when he escaped."

"Seems the father was the one who had a score to even," Hector's face is filled with disgust.

"Markovic has a twisted view of the concept of even. Nobody gets the last word. He bides his time, gives you a sense of comfort, then he's there *when you least expect it*."

"This guy's a piece of work."

"You have no idea."

"So Markovic goes right back into the fire just to polish his fragile ego?"

"That's his MO. No one crosses Brajko Markovic. Nobody."

Hector sees where I'm headed. "Don't you worry, Will. No harm is coming to you or your family. We'll catch this animal and do our own little evening of the score."

"I know you will." I can hear the uncertainty in my words.

Lacey wanders in with sleepy eyes. "We've made a decision," she says.

"Well good morning to you."

"The kids and I want to go see Tommy." She looks at Hector. "I mean the four of us, of course."

Hector looks at me. "Tommy?"

"He's the closest thing to a grandparent Michael and Ellie have ever known. A bit of a surrogate father to Lacey and me as well. We haven't seen him since the move."

"So he's not nearby?"

"No. He's in Utopia."

Lacey says, "Tommy has been through a lot with us over the past couple of years. He's like family and I know he misses the kids terribly."

"Any chance he can come here?"

"Not really. Tommy's up in age. Not a fan of long drives."

Hector looks to me and then back at Lacey. "So let's go see Tommy."

Lacey smiles brightly. "Great. I'll let the kids sleep a bit more then I'll let them know."

I wait until Lacey is out of earshot. "Are you sure it's safe?"

Hector taps his .45. "He gets within three hundred yards of us and your troubles are behind you." Hector moves to the window again and draws back the drapes. We share a long moment of silence.

I'm in Sresnic', a place I've never been, in a tiny home with three dead bodies, a vision I'll re-visit time and time again. It's how I'm wired. A useful trait, I suppose, if the image were productive or fruitful, but it seldom is. Once a thought makes it onto the continual repetitive spool it's nearly impossible to remove. The only hope is to force it off track with a suitable replacement. But the mind determines what it deems suitable. It doesn't simply latch on to contrived suggestions. So the reel spins over and over until the imagery is burned into my gray matter. It's my own personal demon, one I've been trying to overcome for years with little success.

“OK.” I raise my coffee mug. “I need another cup, how about you?”

“Sure thing.”

Lacey is standing in the kitchen with the phone held loosely to her ear, every few seconds she pulls it away and taps the keys. “We’ve been pre-approved for a fifty thousand dollar line of credit,” she says with a smirk.

“Lucky us.”

She puts the phone back to her ear to listen to the next message. I grab a mug from the cabinet and hand it to Hector then open the fridge and pull out the milk. I fill both mugs and Hector adds milk to his. As I move back toward Lacey she grabs my arm, there’s panic in her eyes, “It’s him.”

“Him?”

“It’s him.” She hands me the phone with shaky hands. I hold it in such a way that Hector can listen as well. We hear only the final words. “...see you soon.” The voice is discernible even from that small portion. Brajko Markovic is on the offensive.

“How do you play it again?” I ask.

“Push three.” Lacey says.

The message plays back in its entirety.

*Hello, Will. It so very nice to know I remain in your thoughts. You may be delighted to know you’re never far from mine. We had a special connection, you and I. Don’t you think? And we made one hell of a team. There’s no saying what we might have accomplished together if not for your tiresome sense of morality and misplaced integrity. Such a dreadful shame.*

*How’s that pretty wife of yours? I can’t wait to meet her in person. I hear she’s quite striking. Just how I like them.*

I look up at Lacey. She’s vigorously biting her nails and rocking back and forth. I reach out to her but she turns away.

*Tell Hector to enjoy his final days. I’m coming for him. That’s right, Will, I know about your hired guns. Do you really think five men can succeed where your army of US Marshalls failed? Seems quite ludicrous, now doesn’t it? I’m rather disappointed you didn’t come after me on your own, mano y mano as they say.*

*I was in no real hurry to come calling but I see by your actions that you want the games to begin. That’s perfectly fine with me. See you soon.*

I turn the phone over and scroll through the caller id. To no surprise, one is marked only as ‘outside of area. No number is provided. I’m inclined to slam the phone down on the counter but I catch myself and set it down lightly. I need to maintain the appearance of control for the other two in the room.

“He’s bluffing. This is what he does. Don’t let him get inside your head. He’s a world away from here. Even he knows it would be foolish to get too close.” My words give Lacey little comfort. She brings her hands to her cheeks and heads quickly down the hall to the kids.

Hector looks completely in control, perhaps even a bit ignited. “Don’t worry, boss. I’ll put her mind at ease. You do what you have to do.” Hector studies me for a moment. “Don’t you go getting queasy on me, too. We’ve got this thug outnumbered. We’re going to take him down.”

Hector has just had his life threatened in no uncertain terms yet he stands utterly unshaken and prepared for whatever may come. Ethan certainly didn’t undersell his crew of vigilantes. “Ethan...” I mumble.

I pick the phone up and dial his cell from memory. He leads with concern, “Will. Is everything all right?”

“Yes. At least for the moment. Markovic left us a threatening voicemail. I think he may be headed this way sooner rather than later.”

“Are you certain it was him?”

“Positive.”

“Any way to trace it?”

“Not on this phone. And from what I know of Markovic, it would be a waste of time. He tends to cover all bases.”

“Did Hector hear the message?”

“Every word of it.”

“Good. Now listen to me. You can rest easy, at least for the time being. We have it on good authority that Markovic returned to his homeland nearly a month ago. He hasn’t ventured far. We’ve also been in contact with the Interiors of Ministry in charge of the respective Policia in Monte Negro, Albania, Slovenia, Kosovo, Hungary, Croatia and Serbia, though we’re quite certain he has no intention to enter the latter.”

“Dismiss nothing. Markovic may well be taking his resentment of the Serbs right to their doorstep.”

“Noted, but not necessary. We received word of a verifiable sighting in the small town of Bakar, in the Primorje-Gorski Kotar County in western Croatia. Local policia captured pictures of Markovic entering the Hotel Jadran on the inland port of the Adriatic Sea, three days ago. We didn’t receive notification until yesterday.”

“Damn.”

“It’s OK. It appears he’s comfortable in the area and shows no immediate signs of fleeing. A second eyewitness spotted him at the Bevanda on the same coastline the next day, not two miles from the Jadran. Video footage is an exact match of the DC files taken during his short-lived incarceration. We’re certain it’s him. And it’s just a matter of time until he’s ours.”

“But he’s confirmed to me that he knows of your existence. How long do you think he’ll stay in one area?”

“There’s no saying. We expect he’ll move on in a day or two if he hasn’t already.”

I’m less than encouraged by his nonchalant reply. Ethan apparently gathers as much from my long silence. “Understand something, Will. If we spot Markovic in an open public place we’ll nab him on the spot—even take him down if the identity is undeniable. But that seldom happens in this



business. Fugitives like Markovic are much too clever. It's a game to them. Brajko Markovic may well have orchestrated these sightings to lure us in and pick us off like ducks in a pond. I, for one, won't have my guys walking into that. We do this by a sophisticated series of maneuvers. We're in contact with Croatian border authorities and have checkpoints in place up and down the coastline."

"What about air travel?"

"I welcome it. If Markovic is foolish enough to make such an attempt we'll have him before he gets past the ticket counter."

The tension slowly leaves my neck and shoulders, but the relief is relative. I can't say I've truly unwound in over six months. I'm no longer certain I remember what such a state of being feels like.

"OK, Ethan, but please keep me posted. I know that's not your standard M.O. but I'd like to think I'm not your typical client."

"That you're not, Will. I'll do my best to provide you any promising intel."

"Good and bad."

"Yes, good or bad."

"Thank you."

"Now get back to your life. And don't confuse Hector's kind demeanor for softness. That's one dangerous son of a bitch looking after your family."

"I'm beginning to see that."

Ethan says, "I'll be in touch," and hangs up.

Lacey is sitting on the couch in the spare bedroom. Hector is beside her on an old recliner. He's sitting on the front edge, resting his thick forearms on his thighs, focused on Lacey and clearly offering counsel.

"We've got a little good news," I say as I enter. "Ethan has every reason to believe Markovic is in Croatia. They've had two sightings in recent days and have coordinated a dragnet with the border authorities."

Hector reaches and lightly grips Lacey's knee. "That's great news."

Lacey offers nothing but a soft smile.

"You're free to roam, honey," I say. "Would you agree, Hector?"

"Absolutely."

"Are you alright, Lace?"

She nods. "Better, I guess."

"Take faith in this latest development. Unless Markovic intends to swim here, I don't see how he'll manage to return."

"They can't keep him holed up forever."

"Don't be so sure," Hector says. "Now how about we go see this Tommy fellow?"

Lacey looks at me for reassurance.

"I agree. It'll be good for all of you."

"OK then."

“How about you, boss? What’s your plan?”

“Tomorrow morning, I’m back at the Polunsky Unit to meet with Dutton. Today is anyone’s guess, but I think I’ll start learning what I can about the former DA and Judge Marta Thornton.”

“Sounds like fun.”

Lacey gets up and Hector follows. “I’ll wake the kids. Let’s see if we can get out of here inside of the hour.”

“I’m ready right now,” Hector chimes.

I head to the study but not before grabbing another cup of coffee. Lengthy internet searches tend to make my eyes roll back in my head. But it’s all part of this crazy life of mine.

## Chapter 19

Ever since Will Hogarth's unexpected visit to the office of the Texas Capital Defender Group, Hillary Pride has been unable to get the Karl Dutton case out of her mind. The notion that another human being will be executed in her state without so much as a peep from their group is simply too much to bear. And if evidence does exist, her appearance of indifference thus far might make a last minute stay all but impossible. The Governor simply doesn't work that way. His standard procedure is to summarily dismiss all petitions and appeals on the first pass. He then allows for a second or third submission, but shows little change in his position, perhaps in hopes that the issue will simply go away or perhaps just to establish who's in charge. By the fourth submission, however, he tends to soften slightly. This is just his routine. And Hillary Pride knows it as well as anyone. An attempt to file the first petition in the final weeks before execution smacks of insincerity. She could almost see his reaction.

"Where have you been, Ms. Pride? This one must not be high on your pecking order."

How could she argue that at this late hour?

But Hillary does have another angle at her disposal, one that has served her well in the past. One she's been careful to use sparingly.

Lieutenant Governor Howell DuPont is the one man whose opinion the Governor trusts above all others. And he just so happens to be a close personal friend of her father.

Hillary catches DuPont in the dining room of the Austin Country Club. Her attempt to pass it off as mere chance brings a sly grin from DuPont.

"Folks have got a habit of just running into me," he says with a pleasant smile. "How's your Daddy?"

"He's fine, sir. Actually thought I might see him here today."

"So it was *him* you were looking for?"

Hillary blushes noticeably.

"Come on, sit down, darlin'. You want something to eat?"

"I'm fine, thank you."

He raises his glass of clear liquid and ice. "How about a little something to take the edge off?"

"Really...thank you...I'm fine. But there is something I'd like to discuss with you if you have a minute."

"It sounds serious."

"Yes."

He looks around the table at his guests. "You folks mind?"

They get up slowly and head toward the bar.

"What's up, darlin'?"

Howell DuPont is as slick and polished a politician as the state of Texas has seen since Charlie Wilson. He claims no personal aspiration for the Governorship despite being just a bullet away. He

chose to run for his current post on the urging of his loyal constituents and for no other God-forsaken reason. DuPont always considers the will of the people above his own aspirations, or so he proclaims.

In nearly seven decades of life, he's had a hand in writing a thousand pieces of legislation and law in the Great State of Texas. Two decades as a lobbyist, followed by three terms in the House and four consecutive terms in the state Senate have made Howell DuPont among the most influential political figures in the lower half of the United States. And if hearsay and an expanded midriff are proof of the rumor, a great deal of that legislation was created in this very spot, with a pen in one hand and a bottomless drink in the other.

Hillary drops into the seat beside him. "It's about the Karl Dutton case, sir. The execution is looming and we could really use your help notifying Governor Wilson of impending petitions. We need him available when the time comes."

"Available. That's it? Available?"

"Yes, sir."

"You've got nothing more?"

"There's more, but we're not yet ready to present it. There's a man scheduled to be murdered by the state. Isn't that enough?"

"Murdered?" He gives her a fatherly smile. "You're a chip off the old block, Hillary, but I love you all the same. Your daddy wasn't a whole lot different than you back in the day. I suspect if he were coming up today, he'd be out there pounding the pavement for handouts for the indigent, free healthcare, a license to kill the unborn and maybe even be on the side of this never ending gay marriage issue. I for one don't give much thought to the latter. I say let 'em marry. Why shouldn't they be as miserable as the rest of us?" He winks, downs the remainder of his glass and holds it up for the attentive wait staff to see. "But time has changed even your daddy, sweetheart. Once you see enough of the impecunious and troubled of this society you come to realize all help is just temporary. Next week or next month, they're back at your door looking for more or crying about a new injustice. They're takers, self-destructive takers. One generation breeds the next. And the only real way to help is to force them to fend for themselves. They need to pick themselves up by their own bootstraps just like the rest of us learned to do."

"Some don't have the same advantages, sir."

He waves his hand. "It's not about position. It's got everything to do with character. Now look at this Dutton fellow. He was anything but destitute and now look where he's at. It's about personal choices. You sleep in the bed you've made. Period. That simple."

"The majority of our cases have nothing to do with guilt or innocence, sir. We oppose the killing of another human being as a civil and progressive means of punishment."

"There's that progressive word I keep hearing. What does that really mean?"

"Sir I'm not here to argue political leanings."

"I admire your spirit, Hillary. I'm just not sure why a young lady of such talent, and dare I say pedigree, chooses to spend her time defending the guilty. Now tell me what you want me to whisper in Governor Wilson's ear." He raises his hand before she can speak. "And let me remind you that this

case was decided by Judge Marta Thornton. She's a trusted confidante and personal friend of the governor. If Marta said guilty, the Governor gives little credence to petitions, check the record yourself. A mere three stays of executions in eight years, none of which were overseen by the Honorable Judge Thornton. "

"We don't intend to beg for clemency without hard evidence, the nature of which I'm not yet in a position to reveal."

"So I can assume Moore and Halston intend to pull a rabbit out of their hat? A rabbit that didn't exist during the lengthy appeal process. All eight years of it?"

"There's a new investigator working the case. Name is Will Hogarth."

DuPont smiles brightly. "Ah, Will Hogarth."

"You know him?"

"I know of him. Who doesn't? He's made quite a name for himself over the past few years."

"I'm told he's quite good."

"I don't know about all that but he does have a tendency to garner the spotlight. I suppose that's a useful trait."

"The evidence is coming from him."

DuPont smirks. "And if we don't play along, Mr. Hogarth creates a public spectacle. Is that how it's going to play out?"

"He made no mention of such intent."

DuPont snorts. "Oh, what the hell. This should be fun. I'll let the Governor know that Karl Dutton's execution isn't going to come and go without a fight. How's that for you?"

"It's all I can ask at this point."

"Just promise me that this new evidence has some meat on the bone. The governor's a very busy man."

"You know I wouldn't come to you otherwise." Hillary gets up and extends her hand. DuPont takes it in both of his. "Tell your daddy I said hello and not to be such a stranger."

"I will, sir. I appreciate your time."

"It's my pleasure. I look forward to seeing what this Hogarth digs up this time."

## Chapter 20

I hit the road early and arrive at the Café Texan by nine a.m. I'm greeted with a hint of familiarity, despite this being only my second visit in years. I'm scheduled to meet Karl Dutton at 10:15 and I need to get my head on straight before going in. The three hour drive provided plenty of time to think. Now it's time to jot down my random thoughts and put them in some sort of order. The previous days have given me scattered bits of irregularities, nothing monumental for sure, but they warrant further review. And the clock continues to tick—Karl Dutton has only twenty days left to live.

I turn my cup over seconds before it's filled by my smiling waitress.

"Welcome back," she says.

"Love the coffee."

"Let me know when you're ready to order, sugar."

I flip open my notepad and tap my pen on a blank page. I take a long sip and scan the room. I scribble Curtis Crowley's name on the sheet. In two days' time, I'm scheduled to meet with the man that I last went chest to chest with before stripping him bare and sending him fleeing back into his home. David Moore was good enough to arrange the meet and greet with a little prodding. Curtis reluctantly agreed but insisted David be a part of what Curtis referred to as the 'interrogation.'

Although I'm quite certain Elizabeth and Curtis have synched their stories in regard to Curtis's bizarre accusation, I want to hear it from the mouth of the accuser himself. Subtle discrepancies are all I have to latch onto at this late hour. I don't intend to let any variations go unchallenged.

This time tomorrow, I'm scheduled to meet with Jonathan Moore. For the moment, I'm not sure what direction I intend to steer that conversation. Richard Halston has given me sufficient explanations of my only two concerns: the reason the Defender Group was never contacted and a suitable understanding of why Jonathan chose to pursue the suicide angle at trial in lieu of the more-dicey and seemingly warranted attack of Curtis and Elizabeth Crowley.

For certain, the elder of the two Moore's holds far less prospect for discovery than his promiscuous son. With time dwindling down, I can't get myself to dismiss David Moore's role in Virginia Crowley's death. Something just doesn't sit right. My instincts are all I have at this point, and to date, they've served me quite well.

I checked in with Lacey just once on the three hour drive to Huntsville. That's two less times than normal. I give Hector full credit for that. They spent what she described as a perfect day with Tommy, riding horses, shoveling manure and sipping sweet tea on the porch until late into the evening. Tommy and Hector hit it off like old friends. She'll keep me posted on their expected return but told me to expect the visit to last at least one more night.

I scribble Judge Thornton beneath Curtis Crowley on my notepad, then abruptly cross it out. It took seven phone calls to finally get through to the judge and less than a minute to realize I was headed down a dead end path.

Judge Marta Thornton didn't mince words, validating that the trial was conducted with the utmost thoroughness as were the ensuing appeals. Mr. Dutton and his high dollar defense team were

provided every opportunity to dispel their client's guilt. They failed to do so beyond a reasonable doubt, time and time again.

My sole attempt to comment regarding her phraseology, "dispel his guilt" over the more politically correct "confirm his innocence" was abruptly cut off, with a promise to meet with me on a specified date and time.

Encouraged, I run my finger across my deskpad calendar only to realize the significance of the date—exactly one day after Karl Dutton's execution. Before I could reply the line went dead and so did any hope of gaining any insight from the Honorable Judge Marta Thornton.

A call to the DA's office was every bit as fruitless. The prosecuting attorney that worked Dutton's trial is now practicing his special brand of trial theatrics as a partner in a lucrative firm in San Diego. And I'm well aware of the fact that his replacement, the assistant DA at the time of the trial, is currently under indictment for withholding crucial evidence in a homicide that sent an innocent man to prison for four years.

I made an educated guess that the latter had bigger concerns than entertaining my desire to revisit eight year old court transcripts. Just for kicks, I left two voicemails with the San Diego firm with just enough detail to assure my messages would be deleted without a second thought. I scribble DA in big bold letters just below Judge Thornton then cross it out. I'm not certain what I expected to gain from either discussion anyway.

Two cups of coffee and a plate of fried eggs and grits later I'm headed to the Polunsky Unit where Karl Dutton is awaiting his first real human exchange since we last met. I consider all I have done and seen in the past week. In stark contrast, Karl Dutton has done little more than stare at the walls of his six by eight cell. It's difficult to fully grasp what that does to a mind. I teeter on the edge of sanity if forced to wait an hour at the DMV.

I'm once again thoroughly checked out and checked in then led by the same guard down the long cinder block lined hallway and through dead bolted steel doors. He opens the door to the visitor's room and steps aside. As expected, I'm once again the only visitor but this time I won't have to wait to see my client. Karl Dutton is already seated behind the Plexiglas of the attorney's booth with a guard by his side. As I sit down the guard nods to me and abruptly departs.

"Good morning, Karl."

Hi, Will. Thanks for coming." There's a subtle difference in Karl's demeanor. I'm not sure whether it's defeat or acceptance but for certain, it's not optimism. He leans forward onto his shackled arms and asks the most direct and honest question he can ask. "Did you find the real killer?"

"Not yet."

He sits back and smiles. "Well at least that's progress."

"How so?"

"A week ago you would have answered that question by pointing at me." I smirk at the response. We share a light laugh.

"How you managing in here? Anyone else been to see you?"

“No. I’d imagine Ethan will show up before the clock runs out but I haven’t heard a thing from him since we discussed using your services. Even that was just a phone call. But I understand. Polunsky is a long way from nowhere. I sure appreciate you putting forth the effort, though.”

I nod. A week ago I would have responded with “It’s just my job,” but now that seems too callous.

He continues with a gentle smile. “I see the warden on a regular basis. He drops by my cell nearly everyday intent on saving my soul.”

“Is he making any progress?”

“Quite a bit actually. It’s the first time in my life I bothered to really listen to all that. He’s a good man, the warden. The only friend I have in this godforsaken place.” We share an awkward silence. Discussions on death row can understandably get morbidly depressing if you don’t steer them in the right direction. It’s my ship to steer but I’m stymied by the wretchedness of this place and the looming scent of death. Karl takes up where I falter. “So what did you find out this week, Will?” he asks.

My response changes the air entirely. “I found a son hell-bent on proving his father’s innocence. He may find it hard to communicate with you but he’s on your side.”

Karl swallows hard. “He certainly deserves a lot better than me.” He shakes his head in self-disgust then pulls himself out of it. I suppose when your days are numbered, you make a conscious decision not to waste them in useless self-pity. “Has he found your madman yet?” “Not yet, but it’s just a matter of time.”

“Good. Maybe he and I can swap places. Can you arrange that?”

“I’m working on it.”

“I know you are.”

“I also learned that you’re a grandfather.” Karl’s face droops and his eyes gloss over. “Ethan tells me you and he had quite a bond.”

Karl nods and looks down. “Did you see him as well?” he asks without looking up.

“No, just Ethan. But he tells me he’s doing well.”

“That’s good.” He studies his shackled hands for a long moment before looking up. “If it’s all the same to you, Will, I’d rather not talk about Nolan. Time is short.”

“I understand. Tell me something, Karl. Is it true you gave away a considerable portion of your wealth in the years prior to Virginia’s death?”

“Ethan told you that?”

“Yes.”

He nods. “It’s true, but I still had plenty. Don’t go painting me as a saint.”

“What would possess you to do such a thing?”

Dutton looks at me as if the reason for his altruism is as much a mystery to him as it is to me. He shrugs. “Guilt, I suppose. Comes a time in every man’s life when he takes stock of his existence, wonders what real difference he’s made. I looked in the mirror and didn’t like what I saw.”

“Ethan thinks Nolan played a part.”

He only nods.



“Then Virginia’s claim that there was more money to be had--a lot more as described in court--was bogus? Your motive really was nothing more than a fabrication by the prosecution? ”

“I’ve said that a hundred times, Will. No one but Ethan believes it.”

“That seems like something easy enough to prove. Surely you had tax receipts, certified financials, proof of transfers.”

“All of the above. But no one seemed to care. The prosecutors played my documentation off as fraudulent, a convenient and improvable paper trail created by my defense team. Apparently the jurors bought their lies.”

“So Moore and Halston believed you truly had no additional funds hidden offshore?”

“Of course.”

“So what changed?”

“What do you mean what changed?”

“They now claim you did.” I say. “They claim you were ripe with motive all along.”

“What are you talking about, Will? They know damn well there were no hidden funds. Is this some sort of bluff? Is that what you’re doing? Are you trying to make me admit to hiding money from Virginia?” He looks disappointed.

I raise my hands. “I believe you, Karl.”

“Then why would you ask such a thing?”

I almost don’t want to respond, but I do. “Your defense teams assures me they’ve come across additional funds, all of which they refer to as offshore, or hidden as it were.”

Karl gives me a wide-eye leer. He looks ready to jump through the Plexiglas. “They’re lying. Plain and simple. It’s a complete and utter lie.” He knits his brow and shakes his head. “Why would they say such a thing?”

“Obviously they never confronted you about this find.”

“No. Absolutely not. What the hell is going on, Will?”

“I don’t know.”

“Well, let me clear it up for you then. It’s like I told you before. These guys can’t be trusted. I knew something wasn’t right. They half-assed my appeals and now this. Have they shown you any proof?”

“Not yet.”

Dutton waves his hand. “Don’t bother. They’re probably up to their ears in fabricated documents. You’ve got to nail these bastards.”

“Give me something, Karl. Some concrete reason why your own defense team would turn on you. I’m not equipped to take on a firm full of heavy-hitters with only your word against theirs. There’s not enough time. I need more to go on. A lot more.”

“Key on the young one. David Moore. Show how he went soft on Curtis and Elizabeth.”

“The transcripts say otherwise.”

“I was there. He let them off easy,” Dutton grumbles.

“That doesn’t tell us why. The ‘why’ is what we need to focus on.”

“I’ve had plenty of time to consider that. Not much more to do around here.”

“And...”

“David Moore was in bed with the Crowley’s. He orchestrated this and took a cut of the inheritance,” he says.

*Oh, if he only knew how perfect his metaphor is, but that alone is proof of nothing.* I make no mention of David’s dalliance. “It doesn’t hold water. My interpretation of the transcripts suggests David was aggressive in court with both of the Crowley’s. There’s no way he could have known the jurors wouldn’t buy into their guilt. It was too risky a ploy. And what’s more, David Moore oversaw several investigations in the years following. He has made no attempt to dismantle my efforts whatsoever.”

This slows Dutton for a moment. He leans back and expels a long breath. He looks as if he’s moved past frustration and directly into defeat. “Maybe its best,” he says quietly. “So what if I’m innocent, right? There’s plenty more I should be in here for. Justice is being served indirectly.”

“Don’t even think that way. That’s not how the system is supposed to work.”

He grins. “You’re supposed to say I don’t deserve to die, Will. That there’s no justice in my death.”

“You read too much into that.”

He raises his shackled hands ever so slightly. “It’s OK. You have the right to harbor disdain for me. I’ve lived a very nice life with other people’s money. Your parents were just two of many.” He’s unable to maintain eye contact with me as he says these words. “I’m ashamed of myself, Will. I mean that sincerely. Completely and utterly ashamed. And to think I truly believed I earned it all. God, what a bastard I was.”

“Our time is limited, Karl.”

He’s unmoved by my prodding. “I had a beautiful home on each coast, a luxurious condo in Chicago, a hunting lodge in Montana, a ski chalet in Vail. Insanity. Hell, there’s a forty foot sailboat with my name on it dry docked in Chesapeake Bay. Damn thing hasn’t seen water in fifteen years. Who needs all that, Will? Why did I need all of that?”

I have no logical response. If the money had been made honestly, I personally have no issue with excess. He didn’t burn the money. He simply spread it around. What’s so wrong with that?

“I’ll tell you why I needed it. I had an image to uphold. Worldly treasures meant I was worthy of being listened to, that my financial advice was more than just chalkboard calculations from a college professor driving a ten year old Chevy. That’s why they loved me, Will. That’s why the networks loved to show my face every time the market took a dip or a big company was on the chop block. They trusted me. What a load of crap. All of it, just crap.” I give an exaggerated look at my watch. “I don’t suppose you’ll ever forgive me, Will, and that’s OK. Let’s face it. I’ve done nothing to make it right by you.”

“You’ve paid me a generous retainer. Far more than I typically expect.”

“I wish we had more time. I’d like to know more about your parents, the kind of people they were, the lives they lived.” His eyes well up a bit and I can’t help but wonder how much of this is

contrived, yet another performance from the master of deception, a final act. But part of me wants to believe every word. The guard glances through the window, catches my eye and taps his wristwatch.

“If your theory about David Moore gaining financially from Virginia’s death is correct, that still brings us back to Curtis and Elizabeth Crowley. The same suspects all along. We’re back where we started.”

“And right where we should be.”

“So you still think they were both involved?”

“At least one of them. My money’s on her. She was the one who placed the call to put me in the Austonian that day.”

“Unfortunately, we’ll never be able to prove that.”

“No one knows that better than me.”

“I met with Elizabeth the other day.”

He’s encouraged by this for a moment, then his shoulders slump. “And she denied everything.”

“Of course. But they always do.”

He shakes his head. “I never cared much for that one. And I certainly never knew what she saw in Curtis. They were just college kids when Virginia and I married but even then, I think she was smart enough to surmise that her future mother-in-law had married me for the money. Somehow that made me the bad guy in her eyes. Go figure.”

I see this is headed into a narrative about his life with Virginia. Though I’d typically welcome all details, we simply don’t have time. “Elizabeth told me Virginia attempted suicide a year or so before her death. What do you know about that?”

“It’s true. Virginia was a troubled woman. I never quite understood it but her shrink told me she had deep-rooted issues going all the way back to her childhood. I did what I could, had her on the couches of the best professionals money could buy. It seemed to help, but it was always temporary. She would always need more. I think it was just one of her many addictions. Anyway, it was quite acceptable among the high society spouses with their pretty, surgically enhanced features. They boasted openly about their therapists at their art auctions and country club galas. It was almost a badge of honor. Who’s your trainer? Who’s your therapist? Who’s your life coach? What a joke. All the while wearing five thousand dollar Versace sun dresses. Virginia had three closets full of the finest handmade clothes and enough jewelry to sink a ship. I don’t think she ever wore any of it more than once. God forbid being caught committing such a heinous crime. And then there was that crazy doll collection, a grown woman collecting antique dolls, can you imagine? I must have spent thirty grand on those creepy looking dolls. She said they were sound investments.” He huffs, “I guess she was planning for our retirement. Ridiculous.”

I push forward. “Elizabeth says Virginia had a drinking problem.”

He nods. “It seems to be a byproduct of the lifestyle, what with fancy gatherings four or five nights a week and no real reason to get out of bed in the morning. You see how it can happen.”

“Tell me about her suicide attempt.”

“What’s to tell? She took a bunch of pills and waited to die. Funny how those with so much so often want to check out early. I’ll never understand it. I was happy being rich. Try telling your troubles to the guy on a street corner living on a city bench. He’d trade with you in a heartbeat.”

“This occurred shortly after you two split? I assume the separation was your idea?”

“I don’t believe any split is ever mutual but this one was as close as you can get. Virginia wanted out as much as I did. I don’t think she shed a tear. To be honest, I think she had already made other arrangements on the side.”

“You mean another man?”

“She was quite an attractive woman. Her financial future was set. Not hard to attract a new mate.”

“Yet she still tried to take her own life?”

“A troubled mind is a troubled mind, Will.”

“It wasn’t just a plea for attention? She almost pulled it off. Elizabeth tells me she found her just in time.”

“Excuse me?”

“And therein lies the problem. If Elizabeth wanted her dead, why would she have saved her life? It makes no sense.”

Dutton slams his hand down on the table. “Is that what she told you? That *she* found her?”

“Yes.”

“I was the one who found her. I was the one who rushed her to Brackenridge. Not Elizabeth. She didn’t arrive until hours later, long after Virginia was out of harm’s way. Is that the rock she’s standing on? Good God, Will.”

The door opens. “Time’s up.”

“So what’s next, Will?” he asks with urgency.

“I plan to dig into David Moore’s financials following Virginia’s death. A few million in irregular deposits shouldn’t be hard to find.”

“Talk about hidden funds. He may have dispersed that money all over the globe.”

“If it exists, I’ll find it.”

“Let’s go,” the guard says firmly.

I rise up. “I’ll be back in one week.”

“I’ll be here,” he says in an attempt at levity. It’s far more sad than humorous. He’s quickly ushered away, back to the six by eight cell with nothing but his memories and regrets; alone to contemplate every sin he’s ever committed, and somehow make sense of how a man with all the splendor life has to offer, falls so very, very far.

In no particular hurry to strap myself back into the car for three hours, I decide to make an unscheduled visit with the man Karl Dutton called his only friend in the Polunsky Unit.

I quickly learn no one meets with Warden Del Kruger without prior notice. According to his secretary, Mitzi, engagements with the warden typically require one or two weeks advance notice. I simply don’t have that much time.

After much prodding, Mitzi tells me I'm more than welcome to wait in the visiting area but she makes no promises. After an hour of pacing, sipping bad coffee from a percolator left over from the 80's and sending three unanswered texts to Lacey, the good warden passes through the waiting area.

"Warden Kruger?" He looks at me without breaking stride. He's just the image I expect. A fit man in his fifties, maybe sixty, his hair a silver gray but still thick as a boy's, only the tiredness in his eyes give away the years.

"That's me," he says without taking his eyes from a stack of documents in his hand.

"Could I have a moment with you, sir?"

"You'll have to make an appointment with my secretary." He reaches for the door between the waiting area and the anteroom leading to his office.

"It's about Karl Dutton, sir." This brings a quick glance at me but he says nothing.

"I'm Will Hogarth, a private investigator working on Mr. Dutton's case. If I can only have a minute."

"Case?"

"Yes, sir."

"I hardly think of this as a case. Justice has already run its course. Now it's just a waiting game."

"Perhaps, but he brought me on to give it one last look."

"Cutting it a little thin, aren't you?"

"No one knows that better than me."

The warden gives a passing glance to two scheduled appointments patiently waiting their turn, then opens the door and tilts his head inward. He speaks in no more than a whisper. "You've got five minutes."

I give Mitzi a wink as we pass into the warden's large no-frills office. He looks at his watch as we sit down on either side of his paper-ridden desk. I quickly note my surroundings as I tend to do. On his credenza are a few dated pictures of a wife and several children, the clothing and dated eyewear give away the passage of time. Two side by side photos on the wall speak of military service. Both are posed group shots in front of fighter jets, donned in full combat gear. He picks up on my interest.

"Are you a military man, Mr. Hogarth?"

"No, sir."

"Too bad. It's a life-changing experience. 101<sup>ST</sup> Airborne. Best group of men I've ever known."

"Thanks for your service, sir."

He waves his hand. "The military did more for me than I ever did for it. Taught me discipline, strength, loyalty and commitment. It's too bad we don't require military service in this country. I guarantee that this prison would be a lot less crowded if we did."

"I imagine you're right."

He leans forward and taps a soft covered King James Bible lying beneath his desk lamp. "And if we'd follow these rules I'd be out of a job all together."

“Amen, sir.”

He leans back and studies me over the top of his reading glasses. “Karl Dutton told me about you, Will. Says you’re his last hope.”

“I’m a longshot at best. But I’m making progress.”

“Is that so?”

I sense his tone of enthusiasm. “I understand you’ve gotten to know him quite well.”

“He’s been here eight years, Will. Kind of hard to ignore, don’t you think?” he asks with a pleasant grin.

“Yes. I suppose so. In that time has Mr. Dutton ever revealed anything to you that may be of use to a private investigator like me?”

“Such as?”

“A confession for starters.” The warden looks a bit taken aback by my betrayal. “I get all of fifteen maybe twenty minutes with my client,” I say. “In my experience, even those with nothing to lose can maintain the pretense of innocence for that amount of time.”

“No. He never has.” He is somewhat offended by the very suggestion. Just the reaction I hoped for.

“Good. I suppose that’s because he’s innocent, wouldn’t you agree?”

He smiles at this. “If I assume all of my prisoners are guilty, I’d be right ninety-nine percent of the time. I’ve learned that’s a good stance for a man in my position. But my job isn’t to judge, Will. That’s for the courts. I keep them fed and in line until their final day of reckoning. If I can save a few souls along the way all the better. *But seek ye first the kingdom of God, and his righteousness; and all these things shall be added unto you.* Matthew, Chapter 6, verse 33.”

“*Take therefore no thought for the morrow, for the morrow shall take care of itself.*”

“Ah, very good, Will. I see you know your Bible.”

“A bit.”

Del Kruger clasps his hands and leans forward. “I don’t need to tell you that Karl Dutton is a bit of an oddity here at the Unit. These are the worst of the worst. Men so crippled with rage and hate that any attempt to break through to them is futile at best. It’s as if the devil has got hold of their soul with no intention of letting go. But that’s not Karl. Not even close. That’s not to say he’s without sin, his transgressions are plenty. But a killer?” He wags his head. “I just don’t see it.” He leans back and expels a long breath. “That’s off the record, of course.”

“Of course.”

“I don’t suppose any of this helps you at all, Will. So tell me why you bothered waiting to see me.”

“I thought maybe you could buy me some time.”

“And what if I had told you I thought Karl was guilty as sin.”

“Then you wouldn’t have agreed to see me.”

“You’re sharp. As for a stay of execution, that’s out of my hands. That’s for Governor Wilson. His decision alone.”

“But you have his ear with a single phone call.”

He nods. “The governor is required by law to keep the line of communication open between us when an execution is pending, but it’s a privilege I never abuse. Stopping an execution at this late hour requires a smoking gun. You need controversial forensics, new found DNA, a credible eye witness, something worth a second look. Even then it’s a long shot. What do you have, Will?”

“Nothing along those lines.”

“I see.”

“But I will put the pieces together. You can count on that. And when I do, I’d really like your help in swaying the governor.”

“You give me something, I’ll make the call.”

I rise and extend my hand. I haven’t gained much, but the knowledge that the warden is on my side may be worth something in the end. Warden Kruger doesn’t accept my hand. There’s something more on his mind.

“Something wrong?” I ask.

“There’s something else. Please, sit down.”

I drop back down, encouraged, confused.

“This may be of use to you—I don’t know. I want to preface this by saying this might be nothing at all.”

“Fine...OK...what is it?”

“I received a call a few days back from Charles Stark, the warden at Arkansas’ Tucker Unit. Been around as long as me, knows a thing or two. Charles tells me he’s got a lifer by the name of Leonard Poe spouting off incessantly for the past month about the Dutton case. He claims he’s the one who killed Karl Dutton’s wife. Now as silly as that might sound, Charles believes there might just be something to it.”

“This Poe claims *he* threw Virginia over the railing?” I try hard not come off mockingly.

“He’s giving no details but that’s the jist of it.”

“And what do you make of it?”

“I’m not sure, but if Charles thought enough of it to call me, it may be worth looking into.”

“Who else knows about this?” I ask.

“I promised Charles I would make a call and I’ve held true to that. I spoke with the Attorney General’s Office in Austin and they assured me they’d handle the matter with the utmost diligence.”

“How far have they gotten?”

“They’ve been in contact with the DA, but that’s where it died. I haven’t heard a thing since.”

“Can I talk to this Poe?”

“Charles tells me Poe’s reserving all details for the DA’s office.”

“So he’s using it as leverage for something.”

“They all do, at least most. But Charles is adamant that Poe has asked for nothing more than a face to face with the DA.”

“I’ve got to say, I didn’t see this coming.”

“Doesn’t fit with your angle?”

“No, that doesn’t bother me. The list of suspects under my microscope more than likely didn’t perform the dirty work on their own. Leonard Poe or the like, might have been hired to toss Virginia Crowley over that railing for a quick payday. That doesn’t make my suspects any less guilty. I think this is worth pursuing.”

“Me too,” the warden agrees. “But we’re at the mercy of the office that put Dutton in here in the first place.”

“Can you call them directly?” I ask.

“I was hoping you might. As warden I’m expected to keep order and follow protocol, not take sides on guilt or innocence. I’ve already got my neck out a bit further than I’d prefer.

“I understand. I’ll see what I can do, but if a man in your position isn’t getting answers, I’m not sure how far I’ll get.”

The warden smiles and rises. He extends his hand. “Something tells me you’ll make it happen, Will Hogarth. You got in here, didn’t you? Please keep me in the loop. And if we need to cart Poe in a van to Austin then so be it.”



## Chapter 21

There are over a thousand small islands dotting the cool waters of the Adriatic Sea, most of which are located off the western shore of Croatia. Commercial fisherman and shore jiggers alike crowd the coasts of these land masses year round for their near limitless stream of Pandora, amberjack and mackerel. Shore jiggers are predominantly young men, most of whom are scrounging for bottom feeders as a means of sustenance rather than sport. They crowd the fishing ports in the early morning hours with gear in hand in hopes of securing a day's wages as a shipmate in one of the many sea vessels departing Bakar Bay. Though adept in angling skills, they're disposed to perform the most menial tasks of commercial fishery; swabbing decks, packing ice, setting lures and netting, all in exchange for a meager wage and the chance to make a lasting impression among the maritime captains.

Since his first day trip at the tender age of twelve, Pravdomir Gabric's work ethic and tireless spirit has been making a positive impression on the seasoned commercial fishermen of the Bakar Bay. Now sixteen and broad shouldered, he stands out among the mass of shore jiggers vying for daily work. He seldom has to resort to spending his day jigging off the rocky shores. Others of lesser skill and reputation acquaint themselves with Pravdomir in hopes of being chosen as a viable shipmate through nothing more than proximity. The ploy often works. Brajko Markovic made note of this scheme after only one day of observance. Now he intends to use young Pravdomir Gabric to secure the first leg of his one-way ticket to the United States.

Wearing a light pea coat, a knit cap and having resurrected the ear piercings of his youth, Brajko does well to blend in among the others. With a week's growth of beard died black as coal and dark fisherman's glasses, he senses no indication of familiarity among the mostly young shore-jiggers. No suggestion that the man before them is a perfect match of the man that most have seen on news reports, social media posts, and black and white fliers posted in the markets, pubs, churches and schools up and down the coastline. But he is a new face, nonetheless, and that alone brings a certain curiosity, a curiosity Brajko uses to his advantage in garnering the attention of Pravdomir. He introduces himself as Filip of Melk, a city in lower Austria, a city Pravdomir knows well. It is where his father was born and raised and where his father is now buried. Brajko knows no more of Melk than he does of the art of fishing, but Pravdomir is none the wiser. Brajko Markovic is the well-planned deceiver, the man of many faces and the character with countless pasts. They speak of Melk's grand architecture and the vibrant countryside, the baroque Benedictine monastery and the Melk abbey. Brajko speaks as if it is all very dear to his heart, casting his sight to the sea as he regales the young fisherman with exceptional details of his illusory hometown. A typically reserved and introverted Pravdomir speaks of his father, a catch in his throat and a crystal in his eye, and now a comforting hand on his shoulder. Brajko, now Filip of Melk, is exactly where he needs to be when the boats arrive along the shore in search of strong backs and adept angling skills. Though he possesses neither, it is a prerequisite he will only need to simulate for a short while.

The captain of a well-equipped short-body Svetac, proudly named Bootlegger, stands on his deck and points toward his favorite ship mate. Pravdomir hoists his gear and gestures to Brajko. The captain gives a reluctant nod and with that he's a member of the crew.

The predominant currents of the intercoastal stream counterclockwise from the Croatia's eastern shore, returning to the strait that eventually leads to the Italian coast. The distance is great and the sea can be harsh. It is not a trip that the inexperienced Brajko will be able to circumvent alone and not a route that the captain of the Bootlegger intends to take. Brajko needs but one of his two shipmates to assist him in his venture. Two creates mutiny he may not be able to overcome. So he has a decision to make, a decision that will cause him no more remorse than a stubbed toe. Brajko must decide which of his two mates has embarked on the final expedition of their lives.

## Chapter 22

I turn my alarm off before it gets the chance to blare. It's been a restless night but I'm wide awake and feel more energized than I have in sometime.

I've spent the better part of the last six hours staring at the ceiling in contemplation, wandering my lonely home, and thumbing through eight year old court transcripts. Karl Dutton's words weigh heavy on my mind. His description of a troubled Virginia Crowley had at once raise the real possibility that the deceased finally succeeded in taking her own life, if only the discussion of the matter had ended there.

The seemingly inconsequential but disputed detail that Elizabeth had been the one to find Virginia in her first failed attempt to take her own life, a detail that could have very well been missed given the limited time that Karl Dutton and I have together, now consumes my every thought. Why would Elizabeth lie about such a thing? Why would Karl?

I suppose the answer is quite obvious. Each gains a great benefit from convincing me that they cared for Virginia or that they could have easily allowed her to die. So who do I believe? That answer is without dispute in my mind. Karl Dutton.

Elizabeth Carpenter is now a prime suspect, though I remain certain she didn't act alone. Curtis Crowley shared her motive and by virtue can't be summarily dismissed.

As for David Moore, he won't leave my list of suspects anytime soon. His self-serving nature and inflated sense of entitlement are too much to ignore. I need access to his financial accounts. That will be challenging.

I'm resigned to trade numbers for assets. If I can show that David Moore added considerable trophies to his collection of frills in the year following Virginia's death, I may be able to create suspicion. I'll be looking for big ticket items: cars, boats, properties, something above the norm. Enough to create adequate suspicion to win a warrant to access his bank accounts and portfolios in the years following Virginia's death. Fifteen million, even divided by three, is still a considerable chunk of change.

I arrive at Moore, Halston, and Moore just before eight and am once again escorted down the long hallway leading to Jonathan's office. This time he is waiting in the doorway and greets me like an old friend. I can only wonder what effect my suspicions regarding his only son would have on his cheery demeanor but I'm nowhere near playing that card. I do, however, intend to sharpen my tone and approach. Time is wearing thin and I find it difficult to believe Jonathan is completely unaware that his son has a personal relationship with our two prime suspects. And though he may not be aware of the exact nature of those relationships, I can't help but believe he knows it's more than just a professional affiliation.

And what if he does know more? What if he knows that David is somehow involved in Virginia's death? What if he's covered for him all along? How far would one go to protect their very own? How far would I go?

We assume our seats across the desk from each other, me in the short leather chair with a notepad in my hand and him in his raised, crushed Corinthian leathered high back.

“Tell me,” he asks, “How’s Karl doing?”

*How’s he doing? He’s doing nothing at the moment. In fact he’s done nothing in eight years. Perhaps you should go see for yourself.*

“He’s hanging in there.”

“Good.” He shakes his head. “I can’t imagine what goes through a man’s mind in a time like this.”

“Plenty I assure you. His thoughts are all he has.”

“What does he share with you?”

I am typically quite guarded with information my client has shared but given the impossible timetable and the looming stench of impending death, I throw caution to the wind. “He’s still convinced that Elizabeth and Curtis are responsible for Virginia’s death. I suppose more than ever.”

“I would suspect as much.”

“He continues to deny the existence of additional offshore funds. He believes that the prosecution’s main motive was nothing more than a courtroom tactic.”

Jonathan nods. I wait for some sort of explanation that doesn’t come. So I prod him along. “Why would he hold onto that position even after you’ve found it to be a lie?”

“Hard to say why Karl Dutton’s does many things, Will. Please don’t see this as a betrayal of my client but there’s a simple truth you need to know. Karl Dutton would lie about the color of the sky if he thought he would gain something from it. You know that as well as anyone. And furthermore, he’s very good at it.”

“I can tell a ruse when I see one.”

Jonathan raises his hand. “I meant no offense but in fairness you’ve only known Karl for a short while. It took the rest of us a year or more to see through him.”

“Nonetheless, I’d like to see documentation supporting the existence of offshore funds, validated documentation, something with the stamp of a certified CPA. I just need to cross the t’s and dot the ‘i’s.”

“I’ll see to it that you have access to those.”

“Thank you.”

“Whatever you need, Will.” There’s a hint of derision in his tone.

I take a deep breath and shift gears. “There are a couple of matters that trouble me. Maybe you can help clear them up.”

“Shoot.”

“Why did you pursue the suicide angle so heavily in court?” I ask bluntly. “It seems from the transcripts that David had our prime suspects on the ropes. Why introduce a second possible explanation to the jury?”

I expect the explanation Richard provided me. Provide as much reasonable doubt to the jury as possible and see what sticks. But that’s not what I get.

“In hindsight, it may have been a fatal mistake,” he says flatly. My look of surprise is not missed by Jonathan. “I’ve lived with that for eight years.”

“And you dismiss the possibility of suicide?”

“Oh no, not at all. In fact I still contend that it’s a real possibility. What I regret is the message it sent the jury. It made it appear our allegations against Curtis and Elizabeth were nothing more than diversions.”

“So if you believe Virginia may have taken her own life, it means you were willing to allow for Curtis and Elizabeth to take the fall for something they didn’t do?” My question is leading and argumentative. He knows it. He gives me a stern look. His tone matches it. “They weren’t on trial, Will. All that our accusations could do was create the possibility that Karl was not the only one with motive. The jury couldn’t convict Curtis and Elizabeth. You know that.”

“Then why weren’t charges brought against them in a separate trial?”

Jonathan takes great exception to this. He draws his words out slowly. “As I stated in our initial meeting, we conducted follow-up investigations for years, all at our own expense. There simply wasn’t enough concrete evidence to warrant a new trial.”

“So you think they’re innocent?”

Jonathan removes his glasses and leans back in his chair. “I think our client is innocent. Who or what killed Virginia Crowley is a mystery that may never be solved. Where are you headed with all of this, Will?”

I treat the question as rhetorical and move on. “I met with Elizabeth Crowley.”

“Then you must be quite persuasive, Will. She won’t give the rest of us the time of day.”

“I have the advantage of timing. There’s so little time left, I don’t think she sees me as a real threat. And she wanted to go on record with her rendition of Curtis’s bizarre accusation against her.”

Jonathan grumbles. His face reddens and he tosses his glasses down onto his desk. “What kind of wild ass reason did she give you?”

I think it best not to turn this into a discussion of his son’s sexual preference so I answer matter-of-factly. “She says she took a lover. That made Curtis angry. I guess he still had feelings for her.”

“A lover? Who’s this lover?”

I shrug. “Didn’t ask. Don’t care. I intend to get Curtis’s rendition firsthand. I’m scheduled to meet with him tomorrow. Someone doesn’t just accuse another of murder out of sheer jealousy.”

“You’d be surprised. I’ve been in this game a while. Ex-spousal disputes can get quite nasty.”

“Nonetheless, I want to hear it from him.”

“You’re probably wasting your time. If there was any truth to his allegation I’m sure he and Elizabeth synced their stories long ago.”

I nod. “All the same.”

“As you please.”

I look down at my notepad and flip pages. “I’m curious why you chose not to use the resources of the Capital Defender Group.” I don’t look up. “Their successes are well-documented.”

“A firm of our size has ample resources to handle matters of a capital trial. We prefer to operate as one cohesive team. Their attorneys like to make a lot of noise with the press and politicians. That’s just not our style.”

“So you go it alone?”

Jonathan puts his glasses back on and glares at me over the top of the rims. “Yes.”

I thumb through my notes. “That’s funny, I’m told otherwise. In fact I learned that you’ve used the Defender Group’s services more than a dozen times over the years.”

“Well...”

“And yet you chose to go it alone with Karl Dutton.”

“I was not suggesting that we *never* utilize their service.”

“Actually you were.”

“It depends upon the case.”

“Seems this would have been a perfect case.”

“Is that what you think?” I’ve annoyed Jonathan one time too many times and he no longer hides it. “So I suppose we should ask your opinion on all future capital cases. Would that be OK with you, Will?”

I want to respond with a wise crack but he cuts me off.

“Karl Dutton is a far cry from the scorned man the general public tends to have pity on. People find him despicable, arrogant, self-serving. Take your pick. That’s how he’s perceived. The Defender Group relies on public sympathy and sentiment. They create a persona of the defendant that pulls on the public’s heartstrings then ride that sentiment right into the governor’s office. That wouldn’t work with Karl. Not a chance.”

“Fair enough. But you’ve provided me the perfect segue to my next question. Have you spoken with Governor Wilson regarding a stay?” I know the answer and Jonathan knows as much.

“We’ve conducted eight appeals.” He raises all of his fingers on both hands with his thumbs tucked into his palms, “That’s eight thorough appeals. Not one or two. Eight.”

“Got it. Eight.”

“We’ve exhausted considerable manpower and non-billable hours on each of those eight appeals. I think the governor knows about Karl Dutton by now,” he says with a snip of mockery. “If he intends to offer clemency of any sort, it’s his choice to make. And if you know anything at all about our fine governor, you know he’s not easily swayed.”

“So you don’t bother to ask?”

Jonathan gives a long sigh. “This is not at all the direction I saw this meeting going. And to be quite honest, I find it highly unprofessional. I have plenty to do and not enough hours in the day to get it done. Now if you don’t mind, or even if you do, I believe this meeting is at its end.”

I see no value in pushing further, but I can’t help one final question. I rise and flip my notepad closed. “Do you have any intention of visiting with our client again?”

Jonathan glares at me.

“It’s a simple question.”

“I’ll be in Huntsville if it comes to that, if that’s what you’re asking.”

“It’s not, but I’ll take that answer for what it’s worth.”

And with that I retreat without a handshake. David Moore is the first face I see as I enter the hallway. His presence is less than inconspicuous. “Eavesdropping, David?” I ask.

“Perhaps.”

We walk the short distance to his office and I make the unplanned decision to sit with him a while. David welcomes my presence, a peculiar demeanor if he’s a guilty man. But a strong sense of entitlement has a way of overriding ordinary fears and concerns.

I’ve spoken to David just once since meeting with Elizabeth, a simple phone call to assist me in arranging a sit down with Curtis. I got what I needed from the call so I left it at that. Now seems as good a time as any to take things a bit further.

There’s a looming question I’d love an answer to so I cut right to the chase. “When I asked you why Curtis would accuse Elizabeth of killing Virginia, you told me you had no clue. I believe your exact words were, ‘It isn’t the kind of thing that’s easy to bring up.’”

He nods.

“What you didn’t tell me was that there was something going on between you and Elizabeth.” His face reddens. “And that Curtis used the accusation against Elizabeth as a means of forcing her out of your life. Is that true, David?”

“Well...yes.”

“So you lied to me?”

He puts his head down in a disingenuous display of shame then looks up with repentant eyes. “I’m afraid so,” he says. “I apologize for that. Truly I do. It was just so much all at once, what with you finding me with Curtis and all. I was a bit off guard. First, you see me with one suspect and then you learn I carried on with the other, all in the space of a few minutes. I knew how that might look.”

“Like you were involved with Curtis and Elizabeth all along? Like you tossed Virginia over the railing and split the money three ways?”

“That, of course, is ridiculous.”

“Is it, David? You were the perfect trio. Virginia’s death meant Curtis and Elizabeth were able to walk away from a loveless marriage with no strings attached. He no longer needs Elizabeth’s income. She no longer has to wait for Virginia to die to gain access to her estate.”

“And how about me? How do I fit in?”

“You were the insurance that the murder would be pinned on Karl Dutton. You needed to lure him to your firm for representation, then you could provide him with a half-ass defense. It’s all very clean.”

David appears oddly unmoved by my rant. There’s a certain confidence in his eyes. “Well, I guess you figured it all out, Will.” He claps his hands slowly. “Bravo to you. There’s just one small flaw in your theory.”

“Yeah, what’s that?”

“How could I be certain that Karl Dutton would choose Moore, Halston, and Moore?”

“Your firm is among the best. The odds were in your favor.”

“That’s true. But those aren’t the kind of odds I’d bet my life on. A man of Karl Dutton’s means has his own attorneys. Seems he would turn to them instead of us, now wouldn’t it? How could I be certain he would choose us? And what if he didn’t? What then? Then the whole plan implodes and the three of us are breaking bricks in Polunsky’s face. Nice try, Will, but only a fool would take such a chance.”

“But you did you lure him in.”

“That was my father’s doing, not mine. He can be quite persuasive in such matters. It was still a long shot at best.”

“So what do you suppose your father said to Dutton that sealed the deal?”

“Beats me. I just try the cases that come across my desk.”

“Whatever he did or said to persuade him, I’m sure Karl’s regretting his decision now.”

David shakes his head. “Your continual berating of our efforts has become tedious.”

“A man in your line of work shouldn’t be so thin-skinned.”

He looks at his watch. “What else can I do for you, Will?”

“Let me tell you my theory of how this all went down.” David rolls his eyes but I continue. “The three of you execute your master plan exactly as I have described, then in a state of panic, you turn to your father for help. You confess your sins and beg for his help. He helps you lure Dutton to your firm, then you provide him with a less than stellar defense. For authenticity’s sake, you go after Curtis and Elizabeth in open court. Once your case against them gains ground, your father steps in and takes the jury in a completely different direction. All pre-planned, of course. He resurrects the suicide theory, which in turn makes your allegations against Curtis and Elizabeth appear contrived. The jury is left to consider why the defense would build two diametrically opposed theories. It lessens the credibility of both arguments. A first year law student would know better than to use such an approach.”

“You have quite an imagination.”

“Allow me to finish. Karl Dutton is ultimately convicted and over the next eight years not a single shred of new evidence is provided to the Appellate Court. Not a shred. Such ineptness is virtually without precedence in a capital murder case.”

“So what do you want to hear, Will? You want me to admit that this wasn’t our best effort to date? That we didn’t pursue every possible lead or shake down every eye witness? Is that what you want to hear? Well fine. Guilty as charged. It didn’t take long for any of us to realize that we were defending a guilty man—and an unrepentant one at that.”

“Not according to your father. He still holds the belief that it may well have been a suicide.”

David waves this off. “He doesn’t believe that for a minute. It helps him sleep at night. It justifies his trial tactics. As for your alternate theory, there are far too many holes.”

“Educate me.”

“For starters, there’s the obvious matter of motive. I’m a partner in one of the most successful defense firms in Austin. Over the next decade, I can hope to earn five times the amount you have me



killing for. It defies logic that I would throw that all away. Second, Karl Dutton paid us a king's ransom for his defense. If we needed Dutton on board so badly why wouldn't we have handled his case at our own expense? Dutton chose us for our reputation, nothing more nothing less. If he wasn't prepared to pay for that reputation we would have been content to let him go elsewhere."

"And you can prove that Dutton was a paying customer?"

"Yes. As I eventually learned, he saved our firm from extinction."

"The Karaway Holdings debacle."

"You certainly do your homework. So you see, Will, your theory is as unstable as a three-legged stool. Now why don't you go out and find the real killer?"

"Maybe you can help point me in the right direction."

"I'd suggest a trip to Polunsky," he says astringently.

I get up abruptly and turn to leave, but not without one final question. "Does it bother you at all that an innocent man is scheduled to die in less than two weeks? Or has Karl Dutton become nothing more than a terrible inconvenience in your tidy little world?"

"We reap what we sow."

"If only that were always true," I say.

"It is in this case."

"Perhaps your lover will have a bit more conscious."

"Good luck with that."

"I've got ways to make people talk. You'd be quite amazed how often a suspect will turn on his own to save his own behind."

"You don't have the authority to offer plea deals."

"No, but the DA does. And that's where I'm headed next."

My words have an eerie effect on David, just as I intended. He no longer masks his emotions with a cocksure grin. I know he'll contact Curtis the minute I leave but that's all the same to me. Even the most coached suspect has been known to cave with the threat of prison hanging over his head. And one thing is certain—Curtis Crowley would not do well inside prison walls.

I head down the long hallway, through the stately lobby and out the double doors of the offices of Moore, Halston, and Moore. I don't suppose I'll be welcomed back anytime soon.

## Chapter 23

Howell DuPont's promise to Hillary Pride to speak with the governor may have been a mere pleasantry with no intent to follow through if not for the fact that Will Hogarth was involved. DuPont holds tightly to the belief that Hogarth won't tolerate silence from the governor's office without a fight. A fight could very well include the left-leaning local news stations, the Austin American Statesman and thousands of social media posts. If only Karl Dutton had tossed his ex-wife off a high rise in the far more conservative Texas cities of Dallas or Houston or even San Antonio, perhaps the rightful execution of a killer would come and go without a fight. But Dutton hadn't done his dirty work in those cities. He had committed his heinous crime in the ultra-liberal hub of Austin. Howell DuPont knows all too well that truth may complicate Governor Wilson's silence on the matter.

As for Hogarth, the press views him as a modern day Sam Spade or Hercules Poirot, a real life investigator with the knack for larger than life cases with public appeal. How easy would it be for Hogarth to rouse the hungry chops of the collective media with a phone call? Howell DuPont doesn't intend to wait to find out.

Governor Rhett Wilson, a first name bestowed by his mother for her love of the charming and complex southern gentleman who captured the calloused heart of a recalcitrant and iron-willed Scarlett O'Hara, was more than spent and much in need of a drink. Hunkered down in the well-appointed study of the governor's mansion in the heart of downtown Austin, Wilson and his Lieutenant Governor had just spent the past three hours discussing all ranges of political matters, including but not limited to voter redistricting, education reform, the push for amnesty among the state's swelling immigrant population and the recent and most unexpected announcement from uber-popular state senator Wendy Evans of her intent to unseat the two term governor in the upcoming election.

The governor pulls a bottle of aged bourbon from his desk file drawer and produces two high ball glasses. He pours three fingers of the brown liquid in both and pushes a glass across the desk to Howell DuPont. It's a weekly routine they endure rigorously. Three hours of recapping the week's most pressing issues to assure their positions are aligned, then a toast to their efforts with several glasses of bourbon. But today Howell DuPont has left one issue for bourbon-time, an unwritten violation that goes un-reprimanded.

"I'm sure you're aware that we have an execution just two weeks away."

The governor nods then takes a long pull from his drink.

"I've been approached by the Defender's Group, Charley Pride's girl, to be precise."

The governor smiles at the mention of his good friend.

"She tells me there's going to be a last minute push for a stay, that evidence exists to prove Dutton's innocence."

Wilson crimps his lips and snorts. "For the first murder or the second?"

DuPont smiles at the response. The very notion that the governor would allow his position to be determined by a prior unsolved crime is a slap in the face of the very tenets of the American judicial

system. "Of course, Karl Dutton was never indicted for the disappearance of his first wife. We can't allow one to cloud the other."

Wilson looks to the closed door of the study. "Relax, Howell, those words were for this room only."

DuPont expels a sigh of relief.

"But the fact remains that Karl Dutton almost certainly killed two wives. And like it or not, that does affect my decision. My mother, God rest her soul, once gave me a real good whooping for something she soon learned I hadn't done, yet she never broke stride. I still remember the words she spoke as she whipped my bare bottom. 'This is for all you've done and got away with.' Those words have stuck with me all these years."

"With all due respect, Rhett, Dutton's not scheduled to receive a spanking."

"That's true, but Dutton was convicted of murder, not shaving the neighbor's dog." The governor swirls the ice in his drink and studies it like an insect under glass. "If Charley's girl produces anything less than a signed confession from Virginia Crowley's real killer, my position stands. No stay, no clemency."

"Because he got away with the first one."

"Now we're aligned."

"I trust these walls are thick," DuPont says.

"Like Fort Knox."

"Good."

"Jonathan Moore and I go way back, you know that. He was a year ahead of me in Law School, even chased the same gal a time or two. He's made quite a name for himself in this town because he's good at what he does. The best perhaps. If Jonathan couldn't get him off, well then he's probably right where he belongs."

Howell DuPont takes a long pull from his drink then sets it on the desk. Wilson replenishes his glass on cue. He raises the filled glass with a satisfied grin. "Shaved the neighbor's dog, huh?"

"That crazy brother of mine. Turned a beagle into a Mexican hairless."

They share a deep and long laugh and Karl Dutton slips from their collective thoughts with the passing moment.

## Chapter 24

An hour into their workday Pravdomir Gabric is already weary of Filip of Melk. He has never before seen a shore jigger with less angling knowledge or know how. He has chosen his mate poorly, leaving the entirety of the duties to his own efforts. Filip is unskilled in the most basic of tasks, unlearned in the setting of hoists, mounting of cranes and hooking of netting. And there will be no help from their captain. From the raised pilot house Horvat views it all through a growing fog, a newly replenished flask of bourbon hanging by his side.

“Have you never before been on a trawler?” Pravdomir scolds as he adjusts the speeds of the stern mounted electric trolling motors.

Filip is unfazed by his anger. He appears almost amused. Pravdomir sets the drag pressure to one-third the breaking strength of the monofilament line then ties a loop in the end and threads it through the eyes of the rods. He tightens the drag a few turns until he’s satisfied. It’s been nearly an hour since the Bootlegger left shore and despite his relative youth, Pravdomir is nearing exhaustion.

Brajko Markovic’s only concern is the slow rate of travel. Pravdomir Gabric’s estimation of Filip of Melk is of no consequence to him. Knowing the final outcome of the day’s expedition, he finds Pravdomir’s disdain rather amusing. Of concern, however, is the unhurried manner of the Bootlegger’s captain. Trolling is not a part of his plan, neither is a day of fishing in the Bakar Bay. Brajko needs the vessel to be in the rough waters of the Adriatic Sea. From there he can commandeer a westward voyage to Rimini on Italy’s eastern coast.

A perfectly counterfeited passport with the name, Mr. Jeffrey Adelman of Kansas City, Missouri, is tucked in the zippered lining of his jacket and will serve as his gateway into the States. From there all that remains is unchecked ground travel from California to the heart of Texas. He’s outsmarted Hogarth’s band of mercenaries—and by extension, Hogarth himself—and that brings great satisfaction. And soon enough that satisfaction will heighten to exhilaration when he is once again together with Will Hogarth, his lovely bride and his two cherub faced children—one final time.

For now his plans are grounded in the cool waters of Bakar Bay, an ill-fated truth that could well halt his expedition from the very start. But fate is about to grant the madman an undeserved hand.

From his raised position, the captain surveys the day’s current and the bustling commerce crowding the passage. The bay is already dotted with mercantile trawlers each giving strong command to their positions in the reefs and sloughs. He summons Pravdomir from below. “Hoist the lines, boy. We’re headed to the open sea.”

With a jolt, the bow slowly raises and the Bootlegger gains speed. Brajko is delighted with the sudden turn of events. For Pravdomir a day on the open sea means a full day’s wages and more, but the notion of a full day with a useless mate is unnerving. His legs and arms are already weary, a sensation typically reserved for the day’s final hour.

Brajko settles into a deck chair beside Pravdomir and braces for the bumpy ride. Not a word is spoken between them. The younger shipmate is unable to bring himself to look at useless mate.

Once the Bootlegger breaks free of Bakar Bay, Captain Horvat increases the speed with a forward push of the throttle. To Brajko's much needed relief the nearly violent turbulence of the bow crashing against the sea begins to subside. But the open sea poses an unexpected threat. The skies are growing perilously dark on the horizon. Pravdomir cranes his neck to gage the reaction of Horvat, but the booze-addled captain is not yet discouraged by the menacing change of elements. He gives the throttle one final push, as if a show of determination might quell nature's wrath. "This is madness." Pravdomir utters words for the first time in an hour.

Brajko is content to distance himself from the coastline. He smiles crookedly at Pravdomir and offers a cryptic response. "It won't last long."

Pravdomir is incensed. He rises up but Brajko braces his wrist and forces him back down with an unexpected strength. For a moment Pravdomir is more threatened than angered. Once the grip is released he rubs his wrist, gains his composure and voices his distress.

"What concern is it of yours?" He thrusts a finger in the direction of the darkening skies. "A day's wage is meager pay for the battle that lies ahead and utterly meaningless to a dead ship hand. You have no more sense of storms than you have of mounting cranes." His fears are accentuated with perfect timing by a bolt of lightning that illuminates the sky and the ensuing crush of thunder. And then the rain begins. Sharp angled spears of rain slap hard upon the skin. Horvat is better protected by his fiberglass roof but the speed of the boat and the increasing winds have created a sideways attack of piercing rain.

The captain displays his first show of concern but for the moment a full bladder takes precedence. He summons Pravdomir to take the controls as he descends, en route to the deck house. The young prodigy climbs the ladder without hesitation, determined to take advantage this unexpected turn of events. He offers Filip of Melk a passing glance that says all that's needed.

Pravdomir turns the Bootlegger back toward Bakar Bay.

He begins a southward turn that brings the ramped sea crashing against the port side and quickly floods the deck. The cranes pivot and screech an earsplitting sound of metal on metal as Brajko is thrown against the gale wall with a mighty crack. Pravdomir finds a moment's pleasure in watching his helpless mate flop around the deck floor.

A second strike of lightning illuminates the sky enough to grant a full view of the black cloud's massive girth. Pravdomir's disdain for his shipmate transforms to concern. He shouts at the top of his lungs.

"Get inside the deckhouse! Move!"

But his mate is already gone—tossed overboard by the unrelenting sea. Pravdomir searches the water for a sign of life but the sea is a dark kaleidoscope of black and gray, rolling and rising rapidly. One could no sooner see an approaching vessel than the trifles of a single body fighting to stay afloat. Worthy mate or not, the unwritten oath of the fisherman is to leave no man at sea. As for his captain, he appears content to allow his ship hand to fight the storm alone while he endures the squall from the relative safety of the deck house. A worthless drunkard.

The Bootlegger's electronic switchboard is a myriad of buttons and switches, the identifications are faded and scratched away. Pravdomir flips and presses until he gets his desired result. The floodlight mounted atop the fiberglass roof shines a beam of light onto the sea and slowly pivots back and forth. He begins a tight eastward turn and circles back to the point of his last sighting of Filip of Melk, yelling his name at the top of his lungs. The sound is lost amid the howl of the wind and the crash of waves. When his efforts prove futile, he redirects the Bootlegger once again, widening the circle around his starting point.

The ship's GPS has shorted out and is nothing more than flashing red lights. He nevertheless commandeers a complete circle, unyielding for a quarter hour before the sky lightens and the sea begins to calm. And it's now plain to see that Filip of Melk is lost to the sea.

Pravdomir's victory against the raging storm, though bittersweet, fills him with a sense of pride. He pulls back the throttle and descends to the deckhouse, determined to confront the captain for his cowardly actions. His dogged grit is washed away upon entry. Captain Horvat lies dead on the floor, a thick straight line of blood bubbling on his throat, a circle of crimson staining his shirt. Pravdomir hesitates but a moment, then moves toward him, but he doesn't get far.

"Leave him for now. He's useless to us." Filip of Melk is standing in the doorway, a ten inch blood-stained fillet knife in his hand. Pravdomir is too astonished to speak. "You're quite a captain in your own right. I'm quite impressed."

"I thought..."

"Thought I was dead? You're not the first to make such a mistake."

"Why? Why did you kill him?"

"It wasn't my intent I assure you. But he was quite useless to me in his condition."

"Useless?" Pravdomir's voice cracks as he speaks. The fear is not lost on Brajko.

"For my journey to the states, of course." He points the knife toward the captain's dead body. "You see, young man, it was my intention to kill you, not the captain. You can't imagine how close you came to certain death, mere seconds I assure you. If the good captain had not descended at the precise moment he did... well..."

"You won't get away with this. Search crews will find us. You'll be tried for murder."

"And will it be one murder or two?"

Pravdomir's momentary bravado comes to a crashing halt. His hands shake and his lips quiver.

"The decision is yours, Pravdomir. I know nothing of operating this craft, but I see that you do, and quite well. Take me where I need to go."

"You're not from Melk are you?" Pravdomir asks softly. "Who are you?"

"My name is Brajko Markovic of Sresnic, Bosnia," he says proudly. Pravdomir's eyes widen. Brajko is delighted by the recognition. "Ah, you've heard of me. How nice to be so well known."

"You played me."

"Like a finely tuned instrument." He waves the knife toward the open door. "Now let's get started, shall we. There's somewhere I need to be."

My last two calls to Lacey have gone unanswered.

*Come on, Lacey, what are you doing to me?*

I call Hector directly. He doesn't disappoint. He assures me all is well and that they're headed back home. He makes a point to emphasize how well the visit went and what a special friend we have in Tommy Fisher.

No one knows this better than me. His words give me some much needed comfort, but I call Ethan all the same. Ethan explains that Brajko Markovic hasn't been spotted boarding a flight, crossing a checkpoint, or commandeering a hot air balloon for that matter, in the past several days. Anyone in Croatia with a television set or internet service intimately knows his face and his story and would like nothing better than to be known as the one that led to his capture. He's satisfied that his words bring me relief but all I've keyed in on is that Markovic hasn't been seen in days.

I enter the Office of the District Attorney with a cavalier and determined gait. My calls have gone unanswered and given the urgent nature of my inquiry, that doesn't sit well with me. After an increasingly heated back and forth with the front desk, I'm reminded that the DA is currently under indictment and has more than his share of troubles to deal with. I'm welcome to wait it out in the lobby but no promise can be made that I'll ever be seen.

The condescending offer heightens my insistence all the more. I'm now making a scene for all to see, an approach that I'm certain will garner a necessary reaction. I anticipate security. What I get is an offer to meet with one of the DA's assistants. I accept without hesitation. And they say that kicking and screaming only works for toddlers.

I'm escorted to the office of Marty Pratt, who greets me as if he's been expecting my arrival.

Pratt is young and upbeat, still filled with the bright-eyed expectation and aspirations that powered him through three long years of law school. The diploma on his wall is only five years old. Several scattered pictures show a beaming father of two little girls and a pretty young wife. The stacks of paper on his desk suggest he doesn't see any of them nearly as much as he'd like.

"How can I help you today, Mr. Hogarth?"

"I'm here to discuss Karl Dutton. I've been retained to look into his case."

"I'm aware."

"That's good. How familiar are you with the details?" I expect very little but I'm quite wrong.

"Probably more than anyone in this building," he says proudly. The surprise on my face puts a smile on his. "You're probably aware that the DA of record was lured to San Diego several years ago."

I nod.

"So now I'm the resident expert on the matter." He leans back and folds his arms. "I got my feet wet on the Dutton trial," he says. "I was an intern back then. That means I did a bulk of the monotonous discovery."

"Sounds fun."

He laughs lightly. "It's an unfortunate rite of passage around here. On the upside, I was also allowed to sit in on most of the depositions. It was all quite fascinating to me, my first foray into the world of criminal law and the theatrics of the courtroom."

“Perhaps I’ve been leaving voicemails with the wrong man,” I say.

From his look I see that he knows nothing of my attempt to contact his superior. By extension, I’m quite certain he knows nothing about an unrelenting lifer in the Arkansas Tucker Unit who claims to be Virginia Crowley’s real killer. I choose to educate rather than to ask. “There’s an inmate by the name of Leonard Poe claiming he’s the one who killed Karl Dutton’s wife. He’s insistent on telling his story. As crazy as that might sound, I believe, as do Warden Kruger and Warden Stark, that we should listen to what he has to say.”

“So let him speak.”

“He’ll only speak to this office.” I tap my finger on his desk. “He wants his day in the sun.”

“Admitting to a murder is a day in the sun?”

“Compared to twenty-three hours in a cell, most anything is a welcome diversion.”

“And my boss isn’t budging on the matter?”

“More like not responding,” I say harshly.

“He’s a busy man.”

“The clock is ticking. What can be more pressing than an innocent man staring down an unwarranted death?”

“I would agree if not for the eight unsuccessful appeals that preceded this discussion. So why now?”

“We just now learned of it.”

“But this Poe fellow has known about it for eight years. Why is he just now making a fuss?”

“They tell me he’s had limited access to outside influence. He only recently learned of Dutton’s impending execution.”

“So he’s been inside as long as Dutton?”

“That’s what I understand.”

“And what is Mr. Poe in for?”

“Murder.”

“Lovely.”

Typically such an admission would lessen the credibility of one you’re trying to prop up, but not in this matter. Leonard Poe claims he committed a murder. Establishing that’s he’s quite capable of such an act adds to the believability. I add emphasis, “I’m told it was a brutal murder at that.”

“Aren’t they all? So what exactly would you like me to do, Mr. Hogarth?”

“Meet with him,” I say. “Give this Leonard Poe his fifteen minutes.”

Pratt makes a point to glance at the piles of paper on his desk.

“We’re talking about a man’s life,” I insist.

“And what if Poe was merely hired by Dutton to kill Virginia Crowley?”

“Then we go ahead with the execution. That simple.”

“Do you have any idea how foolish I’ll look spending precious time and money if this guy is bluffing?”



I treat the response as rhetorical, encouraged by the fact that Pratt's tone suggests he's moving in the right direction.

"So who do you want me to contact?"

"Warden Charles Stark," I say without hesitation, "Arkansas' Maximum Security Tucker Unit."  
"Arkansas?"

"Poe lived *here* at the time of the crime."

"And Stark will speak with me?"

"Without delay."

He crimps his lips and nods. "What the hell. Sounds like fun."

"I guess I don't need to remind you that we're on a bit of a tight schedule."

"I'll call today."

I rise and extend my hand. "You're a good man, Mr. Pratt."

"I don't know about that. I'm just still naïve enough to believe this office is in place to dispense justice, not just tally up convictions."

"That makes you a rare bird indeed."

He smiles at this. "To be honest, this case has always bothered me."

"Yeah? How so?"

"Karl Dutton's financial motive was never substantiated for starters. When it comes right down to it, he was convicted on the testimonies of a few less than credible eyewitnesses. And as I remember it, the defense showed that two of the witnesses had priors. I thought they were on to something but then the issue was dropped. Never brought up again. If I were a betting man I'd say one or two of them never even saw Dutton."

"Unfortunately, my client doesn't deny his presence in the building that day."

"But I've seen those tapes. No doubt you've seen them as well. Dutton hardly looked like a man fleeing from the scene of a crime."

"He looked smug, as I believe it was described in court."

"Yeah, whatever the hell that means. What I saw was a man calmly strolling through a building with little concern of being noticed. He's seen in the first set of tapes wearing a ball cap. The next set shows the hat in his hand. I've seen my share of video footage over the past few years, perps almost always wear caps, and they tend to keep them pulled down tight. Dutton was quite the opposite."

"Inexperience perhaps."

"Whose side are you on?"

"It's just too late to rouse the court with ball caps and facial expressions, I'm afraid."

"Perhaps you're right, but what about the fact that he walked right out the front door where his ex-wife was splattered on the sidewalk? Why would he do that? There are three or four emergency exits throughout the building. Why not slip out the back way and get on down the road?"

"You're preaching to the choir."

"It's a pleasure meeting you, Will."

"The pleasure is all mine."

“Now if you’ll excuse me, I’ve got a call to make.”

## Chapter 25

I'm waiting in the doorway when Lacey, Hector and the kids return. I've got tamales in the oven, Michael's favorite, and a bowl of cut-up fresh mangos and cantaloupes for Lacey and my little Ellie. This is the first time since our horrific ordeal six months earlier that we've been apart for more than a few hours. It feels as if we've been apart for weeks. Ellie races to me with her arms spread, squealing with excitement. My heart melts instantly and for a moment nothing else in the world matters, not Dutton, not the Crowleys, not the Moores. For the slightest of moments, not even Brajko Markovic. But the latter never escapes my conscience for long.

Lacey looks relatively refreshed, not fully revitalized by any means, but it's something. Markovic's verbalized promise of retaliation is only two days behind us. Until Ethan and his men give us concrete assurance that our stalker has been detained, all emotion remains relative.

Michael gives me a fist pump as he passes by. He can smell the tamales. "Your favorite," I say.

Hector slaps me on the shoulder and winks, then spends the next ten minutes checking each room and testing the phone and electrical lines, all of which I've done more than once over the past several hours.

We enjoy a quiet evening recapping their short trip filled with all of the expected highlights. Michael saddled up Ranger three times and galloped around the acreage, never out of sight Hector is quick to add. Ellie helped Tommy brush and feed the mares and clean the stalls, describing the latter with a pinched nose and a sour expression.

They stopped in our Utopia home to assure all was well, and then Lacey met with the Realtor in town. The feedback was less than encouraging. Very few had scheduled a walk through and the prime selling season was drawing to a close.

They spent each night drinking lemonade and sweet tea on Tommy's porch and listening to the tall tales of days gone by. Ellie drifted off to sleep in his lap. I miss those simple times more than I realized.

Hector sits with us until the Michael and Ellie are off to sleep then excuses himself. "I'll leave you two alone."

I don't fight him on the matter. I take Lacey's hand in mine, then lean in and kiss her gently. Best I can tell the intimacy is one-sided, a state of which I've grown accustomed. Lacey and I have been together all of six times in as many months. It's fair to say she hasn't really been with me on any of those occasions. I've yet to push the issue and certainly won't start tonight. She moves to cut short any implied amorous activity with a bolt of reality.

"Does Ethan know anything new?"

"No, but that's a good thing. Markovic is pinned in with nowhere to run. It's just a matter of time."

She accepts this on face value, showing no emotion one way or another. As the wife of a private investigator, she's heard and seen far too much to trust shaky assurances and empty promises. She processes the news for what it is and moves on. "Any movement on the Dutton case?"

Oh, what she'll do to avoid my ultimate goal. I tell her about my meetings with Jonathan and David and the assistant DA. She's most amused by the new piece in the puzzle—Leonard Poe.

"What do you make of his claim?"

"Hard to tell. But if there's any truth to it I'm sure he was hired help."

"Hired by David Moore?"

"David, Curtis, Elizabeth, maybe all of them." I lay out my theory of the trios plan to kill Virginia Crowley and split the money evenly. Lacey possesses an uncanny ability to assess the obvious that sometimes avoids me. I wait for her to shoot holes in my theory but it never comes.

"I can see that," she says plainly.

We talk for fifteen minutes about every detail from my visits to Polunsky, the suspicions of the Assistant DA, the bible-toting warden and my lunch with Richard Halston. This has become our standard MO in every investigation. I bounce all I can off of my concise-minded wife in no particular order and she processes the scattered pieces and puts them in neat order. It's also the only type of conversation since her captivity that is certain to involve give and take and last more than a few minutes. She's intrigued by the talk of the Karaway Holdings, though she's uncertain if it fits into the puzzle. We agree that there's no reason to believe that one has anything to do with the other.

I shift gears and mention tomorrow's sentencing hearing with as much sensitivity as I can muster. Lacey had teetered with the notion of being on hand but confirmed her final decision to forgo her captor's final sentencing. Her presence during the trial had had the proper influence on the jury, and as far as she is concerned, there's no need for her further involvement. The sooner she puts the sub-human Wade behind her, the better. But I intend to be there. I want the judge and his minions to have to look me in the eye if they go easy on this pitiful vermin.

I pull a bottle of red wine out of the cabinet and present it for approval. She nods and I pour two glasses. We retreat to the study where I drop down at my desk and begin checking emails. Lacey lingers in the doorway with her glass in hand. She's clearly deep in thought. "What's on your mind?" I ask.

She responds without hesitation. "Proving Curtis and Elizabeth gained financially from Virginia's death gives us nothing. No one denies they were the rightful heirs."

"If I can prove that their take was considerably less than it should have been, that suggests there's a third beneficiary."

"And how do you intend to gain access to their financials? Won't you need a court order?"

"Afraid so."

"Got a plan?"

"Most thieves don't invest their winnings. They spend it. It's a proven psychology among cons; the cash is dirty, it's linked to the crime; turn that cash into a shiny new convertible and it's no longer recognizable as stolen property. What once was dirty is now beautiful."

"So you show that David bought some new toys with his winnings?"

"Yeah."

"New toys that were purchased seven or eight years ago?"

I've been at this investigation game my entire adult life. In most circles I'm quite revered, clever as they come with a nose like a bloodhound. But here in my own home I'm more often second-guessed and second-fiddle. It's humbling but it works.

"Five million can buy some pretty significant assets," I say less than confidently.

"How do you prove the money wasn't earned honestly? He is, after all, a partner in a major firm."

I've got this one. "I show that the firm was in financial trouble, due to the Karaway Holdings fiasco. Jonathan and Richard were fighting to keep the doors open while David is making bank. It doesn't stack up."

"Not bad, but now you need access to the *firm's* financials. Good luck there. You've just alienated two of the partners. Just for kicks let's say they play along. You confirm your theory that David's money didn't come from the firm and then what? You've got less than two weeks to convince the court of your suspicions. The same court that allowed eight appeals, all of which validated that they're executing the right man."

Everything she's saying is right on the mark, but for the moment my focus shifts. The moonlight streaming through the window is highlighting her perfect cheek bones and accentuating the wet remains of red wine on her pouting lips. I'm a wreck with little hope of a lifeline, but I never stop believing.

She downs the remains of her glass, and with a sultry look that gives me a glimmer of hope, she announces how the night will end. I brace myself with guarded anticipation.

"I'm headed to bed. I'm exhausted."

I fight to keep a look of disappointment from shrouding my face, the half-light of the room aids in the cover up—that and six months of practice. Now comes the need for clarity of voice. I'm versed in this as well. "Sleep tight, baby."

## Chapter 26

I make it to the San Antonio Courthouse in good time, in what will likely be a three hour round trip for ten minutes worth of drama. The gathering inside the courtroom is light but I'm sure it will pick up as the day draws on. Hearings are scheduled from eight a.m. to the early afternoon. The order and rate of speed is anyone's guess. About the same window provided by the Cable Company, but here we're without the luxuries of home to ease our wait. Cell phones and all other electronic devices are ordered turned off as if a personal text or a check of the internet might alter the time-honored course of justice.

The gathering in the seating area picks up with every passing minute. We're corralled like congregants in wooden pews. All that's missing are hymnals and kneelers—the latter I'm sure has been requested by many of the Honorable Judges. An opinion tainted by personal experience. I'm no stranger to courtrooms having testified for both the prosecutors and defendants in a hundred cases. I've seen all manner of judges in that time. Some fill the position with the honor and dignity. Others see it as a pulpit for their own personal political and social views. They are, after all, dealing with a lower class of citizens much in need of their highly regarded opinion and advanced intellect. Why shouldn't we kneel before them? It's enough to make my stomach turn.

The presiding judge overseeing Wade's trial falls into this second category in my opinion. Judge Peter Mareck is a San Antonio native with a liberal east coast ivy-league education and well-documented views on the evils of the American penal system. He's served five years on the bench and in that time has granted probation more times than all three of his predecessors combined. His decisions are a matter of public record, which I've reviewed with a growing sense of anxiety.

Mareck enters the courtroom in his usual manner, ten minutes late. The bailiff demands that we all rise, and we do so in unison. Mareck doesn't give us as much as a glance. He sits down behind the bench and begins to review his court documents. His courtroom, his clock. We're all so fortunate to be in his presence.

He eventually nods to the bailiff and the first of two dozen defendants is escorted from the holding area wearing bright orange prison garb and shackles. It's not Wade, not yet, but I won't have to wait long. At precisely nine a.m. my wife's captor is shoved into the courtroom with an officer and the bailiff by his side. All that separates me and Wade is fifteen feet, an easily traversed half-wall, and a certain contempt of court charge. I consider charging him nonetheless and beating him mercilessly as the court officials are helpless to stop me. I do none of this, of course, but I relish the fantasy.

Judge Mareck verbalizes the findings of the court with no more emotion than reviewing a grocery list. Kidnapping, child abduction, endangerment of a child, attempted sodomy, extortion, deprivation of liberty and two counts of attempted murder. He reminds Wade that he's been convicted by a jury of his peers and the state of Texas as a whole. The judge then reads off the long list of allowable sentences with dramatic flair. I'm disheartened by the approach, certain that Mareck is merely displaying the extent of his power over Wade before ultimately defying the recommendation of the jury and showing him compassion in the end. This is his M.O. and in this moment I believe that the

sentencing will not have the outcome I hoped for. But as hope fades, Judge Mareck's demeanor suddenly changes. There is a dynamic to this case that strikes a distinct chord in the mind of the empathetic Judge. A detail that makes all the difference to his thought process, a factor I had missed in my review of his decisions. This case involved a child. A sweet and innocent child. A child that encountered far more evil and terror than any child should ever witness or endure. And that means more to Judge Mareck than any evils Wade may endure inside prison walls. He highlights this point emphatically to the growing concern of the accused, then raises his gavel high and slams it onto the sound block.

"In accordance with the laws of the State of Texas, this court hereby sentences you to fifty years with the chance for parole to be granted after a minimum of twenty-five years served. You are remanded to the custody of the sheriff to begin your sentence"

My heart pounds hard in my chest. Finally a small bit of closure to our endless ordeal. Wade's reaction is equally as intense but stirred by far different emotions. His body goes limp and he collapses to the feet of the bailiff, little effort is made to lighten his fall. As the officers hoist him up, his eyes catch mine for the first time. And in an unplanned response I smile, wave my hand, and mouth the first and only thing that comes to mind. "B-bye, you bastard." And then he's gone.

I'm a believer in compassion and forgiveness but that should never forgo justice. And as for second chances, I've seen too many of those wasted on fools. Degenerates, like Wade, typically wind up right back where they started—in front of a judge. Where there's no remorse or shame there can be no redemption. As for Wade, all he regrets is getting caught. I can hardly wait to call Lacey. Two down, one to go.

## Chapter 27

It's just before noon when I roll back into Austin. I'm scheduled to meet with Curtis Crowley in an hour but I'm anxious to get started right away. Maybe if I drop by early I'll catch him off guard, not quite as polished and ready to perform.

I've been practicing my approach in the rear view mirror for the past hour-and-a-half, yet I'm still uncertain where to begin. I'm bothered by this. This may well be the most important discussion I have left in these final days and I simply can't let it slip through my hands.

The fact that Curtis Crowley agreed to meet with me, despite our less than congenial first meeting is quite telling. Sure, David lent a hand in swaying his decision, but in the end Curtis had final say. For that reason alone I believe he has something worth sharing, something he's dying to get off his chest.

I'll use every means and tactic I know to get him to speak. Even if that means offering him a deal—give me the others and save yourself. I've done this more times than I'd like to admit. It's nowhere near the most desired outcome, but it's something. And Karl Dutton is in desperate need of something.

The key is to convince Curtis that incarceration is a real and looming possibility, and that his only sure means to evade the inside of prison walls is to turn on the others. I hold no real hope that Curtis will give up David, his one true love, but it's a matter of record that he'll offer up Elizabeth. And I'm certain he'll do it again if I'm able to apply just the right amount of pressure.

Elizabeth's explanation of why Curtis turned on her the first time was plausible, perhaps even believable, but now I think it was all bunk. A contrived rendition orchestrated by all the key players. Someone got too close to the truth and Curtis panicked. Perhaps one of the investigators pieced it all together, maybe the very one that David sent packing with a nice bonus in his pocket.

I've placed two courtesy calls to Curtis to confirm my arrival. Both have gone to voicemail. The reason becomes eminently clear as I turn onto Pecos Drive. I'm stopped by one of Austin's finest. I roll down my window. "What's happening here?" There are five squad cars blocking the street and police tape has been rolled out. My heart races.

"This road is closed, sir. You'll have to find an alternate route."

I flash my credentials. "Can you tell me what's going on?"

"Possible homicide," he says one crime stopper to another.

I pull to the curb and jump out. I'm racing down the street with the officer in tow. It takes seconds to arouse my fears and only a moment more to solidify them. EMS rolls a covered gurney down Curtis's driveway, several APD officers on either side. They're moving slowly, no urgency for the deceased. My presence attracts their attention. I'm a familiar face, just not well known. One affords me the courtesy of his time.

"Will Hogarth?"

I nod and gesture toward the gurney. "Curtis Crowley?"

He nods.



“What happened?”

“Shots to the head and chest. Quick and clean. Neighbors heard shots and called. We’re questioning some of them now.”

“Any suspects?”

“None.”

“Mind if I look around?”

“Sure.” He waves a young officer over. “I’d like one of our men with you at all times.”

“Understood.”

“It’s a crime scene. Please treat it accordingly.”

I watch as Curtis’s dead body is shoved into the back of an ambulance and the doors are closed. As I turn toward the house, my attention is diverted by the yells of officers and a vehicle screeching to a halt. David Moore races from the car and directly toward the ambulance. He’s screaming like a child. He’s gained the attention of all on sight. The officers catch up with him as he pulls open the ambulance doors.

“I need to see him!” he yells. “Let me see him!”

I study every nuance of his tone and expression. If there’s any truth to my theories, there are two obvious suspects who need assurance that Curtis never spoke with me alone. For the moment, David doesn’t appear the obvious choice. His grief appears heartfelt. If not, he’s the king of deceit. Either way, he’s clearly giving no concern to concealing his alternate lifestyle to anyone. Tears stream down his beetred face and his chest heaves violently. All I can wonder is how David Moore is so well aware of the details of the scene the moment he pulled onto the street.

An officer slaps the back of the ambulance and it starts to slowly roll away. This sends David into a state of panic. “Don’t take him!” Distraught beyond consolation, he presses his hands to his eyes and sobs violently and emits bitter moans. Real heavy stuff.

When he finally looks up, his eyes come directly to mine. I see neither grief nor sorrow. What I see now is pure rage. We’re twenty feet apart with a half dozen officers and first responders between us, but when he raises his arm and points my way, the gathering parts like the Red Sea. “You did this!” he yells. “It was you. You killed him!” All attention is now on the man being accused of the crime. That man is me.

The officers take serious interest in the accusation and turn my way. Hands go instinctively to their sidearms, still holstered but ready to act if I show any movement toward my own.

“You couldn’t leave it alone! You did this!” And with that David charges me. I brace for impact like a lineman on fourth and goal, then give a last second sidestep. A hand to the back sends David sprawling to the ground.

He’s more agile than I anticipate, He’s up quickly and back on the attack. This time my sidestep has lost the element of surprise and our bodies crash hard into each other. His arms lock around my waist. For the first time in a long time, I’m grappling with a man my own size and strength. I lose my bearings and we both hit the ground. He’s on top but I have one arm wrapped around his neck and the other working its way down the front of his torso and onto his belt. I lock both legs around one

of his and with a quick burst of hands and legs I reverse our position. I've got him pinned when the officers finally move in. They pull me off without resistance and back me away. My arms are pulled behind my back and I feel the cold hard presence of handcuffs.

David is kept at a distance but, unlike mine, his arms and hands are left free to move. I can't help wonder what the hell just happened. He's not yet through voicing his disdain. "You just couldn't leave well enough alone, could you!" he shouts. "This is all because of you!"

The officers have seen enough. I'm escorted away, despite my calm claims of innocence, and into the back of a patrol car. When the door is closed behind me and the sounds of the commotion are dampened, I survey the clamor from a position I can only describe as a self-assured cool. I'm confident my momentary detention will be cleared up quickly. I'm a well-known sleuth investigating an eight year old crime. One of my prime suspects has just been brutally murdered. The very suspect I had hoped would voluntarily turn on his accomplices.

I didn't think much of Curtis Crowley, but anyone can see he meant more to me alive than dead.

David is giving his rendition of the events to the surrounding officers. His mouth moves rapidly, his head wags back and forth and his palms turn upward.

The officers shoot intermittent glances my way. It's clear from their expressions that David is clearing up any confusion regarding my guilt. He knows that such a claim is an absurd dead end. That ultimately paints him as a collaborator, desperately trying to pin blame elsewhere. David is too smart for that.

But his uncontrollable emotions have led him to make a colossal mistake. Somehow David already knew Curtis was dead before he arrived on the scene. He knows I know it as well. He hadn't anticipated my presence. I was an hour early.

Was this the second time David paid a visit to the house of Curtis Crowley today?

I consider the other person who preferred I didn't speak with Curtis on my own. Had Elizabeth made certain that her ex wouldn't try to pin Virginia Crowley's death on her again? Two suspects with all the motive in the world and here I sit in the back of a squad car, shackled like a common criminal.

Two officers' head my way, open the car door then back away. I instinctively get out. One presents a key and I turn my back to him. "He's come to his senses?" I ask.

He removes the cuffs. "He said it's all a big misunderstanding."

"I see. Kind of like a 'you bought 2% and I wanted whole milk' mistake? Only in this case it's more of a 'You killed my lover. Oh maybe you didn't,' mistake. Surely this looks suspicious to you gentlemen."

The older of the two responds. "For the moment, we're uncertain what to make of it."

"Does anyone else find it odd that David Moore knew exactly what he was driving up to?"

The look in both of their eyes tells me this revelation strikes a chord.

"What are you saying, Mr. Hogarth?"

"Exactly what you think I'm saying. You need to bring him in. And while you're at it, why don't you stop by and pick up his accomplice. I just happen to have her address."

Once released, I watch the police detain a resistant David Moore then slip away relatively unnoticed. I see no need to become any more a part of the story than I already am. The press will pick up on the homicide but I doubt it will render more than a blip on page three. There won't be any connection to Karl Dutton whatsoever unless I bring it to the forefront.

David is cuffed and on his way to the APD Headquarters in the heart of downtown where he'll be questioned without success. David knows his rights, as do his powerful contemporaries at Moore, Halston, and Moore. I suspect the whole process won't last more than an hour, in which time APD will move from interrogators to defendants, left to consider the validity of an untold amount of accusations including harassment and illegal detention.

That's alright by me. It's Elizabeth I'm counting on. With the right amount of pressure and the threat of incarceration, maybe, just maybe, she'll turn on her former bedfellow.

I order a coffee at Austin Java, find a table in a quiet corner and place a call to the office of the Capital Defender Group. I owe Hillary Pride an update on the empty promise I made to her more than a week ago.

"I wondered if I was going to hear from you again," she's says. I unload the details of the previous hour without hesitation. She offers no immediate response, content to allow me to connect the dots. I summarize with a less than smooth analogy. "Like wild animals choosing to eat their own rather than perish."

She doesn't seem too impressed with my attempt at creative prose but she gets the point. My meeting with Curtis Crowley posed a threat to someone, a threat great enough to kill for, but until now, I haven't offered her my suspect. When I do she's too stunned to respond immediately.

"Hello?" I say.

"Let me pick myself up off the floor. You think Dutton's own defense attorneys are involved?" Her tone can only be described as guarded exuberance. I think she loves a twist.

"Not all of them, just David Moore."

"That's a perilous accusation, Mr. Hogarth. The backlash of such a claim could be devastating if you're wrong."

"I'm aware."

"A counter defamation suit could bring this office to its knees. I don't suppose I need to tell you what impact it might have on you personally."

"No need."

"You're that sure."

"Almost."

"Well, that's not exactly selling it."

"I'm one man working alone. There are a few loose ends. I could use your help."

"I'm not sure how deep I want to get buried in this."

"Interesting choice of words, Ms. Pride. I might remind you that an innocent man is scheduled to be buried in just ten days." The point hits the mark.

"How can I be of service?"

I describe the need to prove that David Moore came into a considerable lump of money following the death of Virginia Crowley. I need proof of tangible assets or investments that look a lot like five million bucks. I'm looking for assistance.

Instead she attempts to drive a spear into my logic. "Why wouldn't he come into money? I imagine Karl Dutton paid a king's ransom for his defense."

I've got this base covered. "That money was needed elsewhere." I explain the Karaway Holdings fiasco and the impending need for cash.

She accepts this and moves past it. "I've got a couple of young staff members who might just eat this up. If David Moore started spending like a celebrity we'll find it."

"Excellent. And I have more. I tell her of Leonard Poe and his relentless claims of killing Karl Dutton's wife, my ensuing meetings with Warden Kruger and the assistant DA. I describe Poe as nothing more than a hired killer, paid to do the actual dirty work.

She receives this information like everyone before her, with doubt and reservation.

I expect nothing less. "We may have an unexpected ally in the DA's office. Pratt's given me his word he'll pursue the lead."

"You got the very office that put Dutton away to pursue an alternate killer?"

"Pratt is young and just green enough to still believe in impartial justice. What's more, he was an intern during the original trial and harbors doubt about Karl Dutton's guilt. A lucky find to say the least."

"That's all good but I fear it may not be enough." She describes her connection to Lieutenant Governor Howell DuPont and his meeting with Governor Wilson. "Mr. DuPont was quite clear that the Governor has no intention of even considering a stay."

"Then we take our findings to the press and show the connection to the murder of Curtis Crowley. Let's put a little heat on the governor."

"You're playing with fire."

"We've got ten days. We need a little fire about now."

"There's a better way. We start an immediate social media campaign. A couple dozen hashtags and a continual stream of tweets should get the ball rolling."

"That's great for public sentiment but I'm not sure how that's going to sway the governor."

"If we can make one or more of the hashtags a 'trending topic' in short order, the chatter will be too much for him to ignore. Once the press picks up on it, he'll feel the heat."

"You've done this before?"

"A time or two."

"And it can happen in short order?"

"Overnight if it catches on."

"Let's hope."

"We're all about hope, Mr. Hogarth. And we've got timing on our side. Governor Wilson is a notorious hard-ass, but he cares a great deal about his public image. And loves being governor of the great state of Texas. The upcoming election is expected to be filled with some heavy hitters from

Houston and Dallas. It should prove to be our three term governor's first real election battle, and he knows it. There's no real threat from within his own party, so his efforts will be directed to the fence-sitters on the left. A rare show of compassion may go a long way."

"I like it. So what are we waiting for? Let's get started."

## Chapter 29

Pravdomir Gabric is content to steer the Bootlegger westward across the Adriatic Sea without fight or protest. For the moment he has no other choice. Brajko Markovic is in charge now, and Pravdomir intends to do whatever it takes to stay alive and in one piece.

An hour earlier they disposed of Captain Horvat's body. They tossed him into the open sea unceremoniously, like chum for the surface dwellers. Pravdomir was then forced to clean the area of any sign of death. A chore that proved nearly impossible given the considerable amount of blood that had seeped from Horvat's severed throat.

It was in that moment that Pravdomir made his first attempt to fight back. He swung the mop handle at the knife in Brajko's hand with a swift arcing motion and a menacing roar. But the weapon remained intact and Pravdomir was once again reminded of his captor's unexpected strength.

Brajko merely smiled at the attempt then issued an icy ultimatum. "Try that again and I'll feed your genitals to the fishes."

The journey west would take the remainder of the day and every bit of fuel that remained. Horvat had never filled the reserve tank or carried additional containers. He was a sloppy and undisciplined angler with little concern beyond ample hooch and a capable crew. But he was well known among his peers and his disappearance would not go unnoticed for long.

Furthermore, Pravdomir knew him to be a married man with a woman who would undoubtedly expect his return by early evening. That gave him a small thread of hope.

Passing ships stayed to their respective undefined channels, altering courses to starboard when necessary to pass port-side to port-side. Pravdomir is well versed in the international maritime 'rules of the road' but he isn't against bending those rules when the opportunity presents itself. But opportunity is fleeting in such a vast body of water. Vessels alter course with the first sighting of oncoming traffic, and despite Pravdomir's unexpected movements in an attempt to draw attention, the competing vessels merely widen their starboard shift to avoid him. It's a dangerous dance that has so far gone unnoticed, but Brajko won't be fooled for long.

By early afternoon, the sun is bright and warm in a cloudless sky. There's no sign of land in any direction, leaving the horizon defined by nothing more than the curvature of the earth against a bright blue sky. The loss of a defined horizon and the rhythmic motion of the ship slapping against the sea bring Brajko Markovic's first sign of frailty. The killer suffers from motion sickness.

He retreats to the main deck and bends over the rail. For several minutes he gurgles and vomits over the side, never once glancing in Pravdomir's direction, not allowing him a clear view of his weakened state. But the young angler is well aware of his condition. He's no stranger to sea sickness; the sudden rise of body heat, the pounding in the temples, the cramping of the gut. It's a welcome turn of events that Pravdomir intends to capitalize upon.

He pulls the throttle back a few short seconds then thrusts it violently forward, separating Brajko from the rail. He then turns the ship sharply to the left. Brajko is tossed about like unsecured cargo.

Pravdomir repeats the process again, then again and again. The killer is slammed against one rail and then another, unable to rise up, but he remains on board, the knife still clutched tightly in his hand.

The Bootlegger is one with Pravdomir's every command, shifting and turning flawlessly as if equally determined to avenge its captain's death. Pravdomir knows he's playing with fire, but that ship has sailed and there's no turning back.

The sea crashes over the rail with each sharp turn and washes away all that remains unsecured on the deck—all but Brajko Markovic. He's tottering on the increasingly slick decking, coated in a torrid bath of saltwater and grime.

A new chance presents itself but the window of opportunity is small and risky. Brajko is stronger and armed. He will no doubt use all measure of resources to remain in power, but Pravdomir is young and spry and possesses the element of surprise and the advantage of a raised position. For the moment, he retains control of the throttle. He slams it forward, and once again, Brajko slides aft and crashes against the deckhouse, just below Pravdomir.

With a rush of adrenalin, the young shipmate vaults over the captain's rail directly onto the unsuspecting Brajko, crashing down hard on his torso. The boot of his right foot glances along the side of his face and the full weight of his descending body collides onto his chest.

Brajko expels a powerful explosion of wind and a mighty groan. His arms and legs shoot outward like a starfish and his knife skids across the deck toward the rail. Pravdomir reacts, pushing himself upward and launching himself toward the weapon but their legs remain entwined. His flight is cut short. He's sent down hard onto the deck, no mere accident.

Brajko has grasped him and is drawing him back, but Pravdomir is wet and difficult to contain. He shakes himself free and shimmies across the deck on his elbows in a desperate race toward the knife. It's a race he knows must win.

The knife is submerged in a pool of water, barely visible, but he knows where to grab. As he does, Brajko falls on him and works his way up Pravdomir's body like a shiver of cold. Pravdomir is pinned to the deck, just inches from the knife, but the advantage is no longer his.

Brajko reaches over him, into the puddle and seals Pravdomir's fate. Brajko remains atop him and brings the blade to his throat. One hand on the handle of the blade, the other grasping a clutch of hair, he pulls Pravdomir's head backward to expose the pink flesh of his neck.

He huffs heavily. "You're a fool. A senseless fool at that. What possible reason could convince you I could be overcome by a mere boy?"

Pravdomir closes his eyes and prepares to meet his fate.

But Brajko has other plans. He raises him with his grip still intact and the blade still pressed against his skin, then walks him perilously toward the railing. “I’ve been watching you for hours, boy. As far as I can tell, there’s not all that much to operating this vessel.” Brajko leans close to his ear and pulls the blade back far enough to draw a small line of blood. “Seems I won’t be in need of your services from here on out.” He loosens the blade and shoves him forward. “Climb the rail, boy. Seeing as we have no plank we’ll just have to improvise.”

Pravdomir mounts the railing willingly, separating himself from sure death. Shark infested waters under any other circumstance would be avoided at all cost, but here and now they’re much preferred. “Say hello to the Captain for me, will you?” Brajko says. With that he swipes the blade violently, cutting through Pravdomir’s pant leg and opening a deep gash in his calf. “It’s feeding time.” With a hefty shove Pravdomir falls headlong into the open sea and plunges beneath the surface.

Brajko peers over the side for a long moment waiting his eminent resurfacing, but it doesn’t come. He searches the water a full ten minutes before two fins appear side by side in the distance, they circle for a moment then submerge, their dorsal fins slapping the surface in unison. Brajko delights in the scene.

He waits and watches but neither boy nor man-eater returns to the surface. Content that all has worked out as planned, he ascends to pilot’s deck and takes control of the helm, one step closer to his ultimate prey.



## Chapter 30

I arrive at the Austin Police Department Headquarters as David Moore exits. He's flanked by his father, Richard Halston and two others I haven't had the pleasure of meeting.

I'm parked beneath the interstate not a hundred yards from the front doors, with two cars on either side of me effectively blocking me from view. I have no desire to be seen by the Moore's or their colleagues. I'm quite certain we won't interface again in the days preceding Karl Dutton's pending date with death.

When all is clear I enter APD Headquarters, flash my credentials and am escorted to the office of the Chief of Police.

I've met Chief Morales before but our exchange was nothing more than ceremonial. I was new to town and a celebrity of sorts following my heroics in DC. The Chief made it a point to show his appreciation of my efforts as the cameras clicked and the press shoved recording devices in our faces.

I liked Morales despite his love of the spotlight. He's a man in the constant crosshairs of liberal City Council and an outspoken progressive constituency. He runs a police force that battles a rapidly growing population with an immense disparity between the haves and have nots. The town that has made the transformation from a bedroom community to a big city with all the normal accouterments of violence, drugs, and gangs in the space of twenty-five years. The force is underfunded and underappreciated. Use of aggression against the citizenry, no matter how warranted, never passes without public outcry and a media storm, leaving his officers to reconsider their every move in situations that demand split second decisions.

Chief Morales tells me what I've already surmised regarding the short-lived interrogation of my prime suspect. David Moore exercised his right to remain silent and made clear his desire for counsel while still en route to APD Headquarters. Jonathan Moore and his cronies arrived within minutes and all went to hell from there.

Jonathan levied strong claims of defamation of character and unwarranted detention with threats of civil actions against the force and Chief Morales himself. There was no discussion of David's innocence or guilt, save for a snide remark regarding the ludicrous nature of the accusation and the stupidity of such a claim.

I move past it and inquire about Elizabeth. The Chief is fully informed of this piece of the puzzle and has already had his officers attempt to track her down. But Elizabeth is unreachable. A call to her firm confirmed the reason.

Elizabeth is three days into a seven day Mediterranean cruise with her mother, a vacation she earned as a bonus for a job well done. Two colleagues saw her off in traditional fashion with a hearty

bon voyage as she waved from the deck railing. So unless Elizabeth jumped ship and paddled her way back to shore in the cold, shark infested Mediterranean Sea, she was not on hand to kill her ex-husband.

That leaves me dead in the water. My two prime suspects are either off-limits or have a rock solid alibi. Any case against them is virtually impossible to wrap up in the time remaining.

I realize that I may well be relying on the testimony of one Leonard Poe, a confessed sadistic killer with nothing left to lose.

Chief Morales and I part ways with a promise to keep each other informed of any new information that may come to light in the upcoming days. We both know the promise is a mere formality.

I retreat to Tarrytown to give Curtis Crowley's murder a thorough review. Morales has made my arrival known to the officers on hand. They welcome me, escort me inside then leave me to my own devices.

Crime scene investigation is my strong suit, having been taught the craft from seasoned FBI agents in my time with the Bureau. I once kept a tally of the scenes I investigated but time and experience eventually made that practice seem sophomoric and trite. I lost track shortly after hitting triple digits.

All of that means nothing in this review. What I see is what I expect and on the surface, less than telling. Curtis Crowley was shot in the forehead at point blank range of about six to ten feet. The blood splatter and brain matter on the wall confirms this was the initial shot. A second spray of blood on the tile flooring speaks of the killer hovering above him and adding two more unnecessary shots to the chest. The second and third bullets remain at the scene just beneath where Curtis fell. The first bullet remains in Curtis Crowley's skull.

I mentally reenact the scene, acting it out in a mime-like fashion. There is little doubt that the first shot succeeded in completing the job at hand, leaving no need for a second, much less a third. These shots by extension were an act of great passion and disdain.

If I'm to believe Curtis Crowley was killed solely to assure he wouldn't cave to pressure and spill some unwanted truths, why bother to satisfy some passionate urge by unloading into an obviously lifeless body? The answer is simple: pure hate and rage.

The realization conflicts with my belief of how David Moore would have gone about killing his lover. Killing Curtis Crowley would have traumatized David Moore. I believe his show of intense grief and sorrow was true and heartfelt, whether he was the killer or not. But silencing his beloved Curtis was a necessary choice, a lesser of two evils. And despite their love for each other, both men are deeply self-serving. If David was willing to do whatever it took to save himself from a murder charge, I'm sure he was aware that his lover may be quick to do the same. So he struck first and silenced him before he could cut a plea deal.

It all makes perfect sense—if not for the second and third shot. I can see no reason why David's actions would have been anything more than quick and concise. Lingering at the scene and acting upon an intense internal fury doesn't match with the lovers I had stumbled on in my initial awkward discovery of their union.

I entered this crime scene as a matter of necessary routine. I leave with a radically changed mind. I'm no longer convinced David Moore had any involvement in the killing of Curtis Crowley. And I'm beginning to doubt he had anything at all to do with the death of Virginia Crowley.

Moreover, as the case crumbles in my hands, I can't help but think Karl Dutton has once again made a poor choice of where to spend his defense money.

## Chapter 31

Marty Pratt wastes little time before placing a call to the Polunsky Unit. He's patched directly through to Warden Del Kruger, who is more than a little surprised how quickly Will Hogarth has gotten the ball rolling.

With the aid of his secretary, Kruger gets Warden Stark on a three way and introductions are made. Once formalities are completed Pratt cuts to the quick.

"So why should any of us believe the ramblings of a lifer?"

Charles takes the lead, much to the satisfaction of Del Kruger. "I'll be the first to admit that these boys will do about anything to break up the monotony of the day. Hell, I once had a con claim he was the reincarnation of John Wilkes Booth himself."

"My point exactly," Pratt says.

"He knew exacting details of the Ford Theater, the type gun used, the clothes worn. He went on for days, telling his tale to anyone within earshot. Boys seemed to get a kick out of him too...for a while anyway. Eventually they grew tired of his ramblings, and gave him real good beating. We never heard mention of John Wilkes Booth again."

"With all due respect, Warden, I'm not sure where you're headed."

Stark doesn't skip a beat. "Leonard Poe has been beaten on four separate occasions for his incessant ranting. He's yet to learn his lesson."

"Maybe he's just thick-headed."

"Poe's been with us eight years or more. He's a character for sure, but he knows how to fit in. We've never seen this type of behavior out of him before. Nothing close."

"So, for that reason, you believe his claim?"

"Mr. Pratt, there are two types of inmates in the Tucker Unit; those who learn to fit in and those who don't survive."

"Perhaps that's what he wants."

"Crazed killers like Poe have no regard for human life—unless it's their own. They'll kill without so much as a second thought but fight to the bitter end to save their own ass."

"Fair enough. So I understand he's guarding the details of his crime for our office only. What do you make of that?"

"He doesn't trust us to get his message to the right parties."

“And why is that so important to him? Is this some type of absolution thing?”

“On the contrary I’m afraid. I believe it pains Poe deeply that another is getting credit for his kill.”

“Sadistic bastard.”

“A persona that serves him quite well on the inside.”

“So how do we want to go about this?” Pratt asks.

“He’s here when you’re ready.”

“I was hoping you’d bring him to me.”

“We’d need a court order and a stack of paperwork to make that happen.”

“Surely you can pull some strings.”

“Perhaps, but time is short.”

“Well there’s no way the DA will allow for it. The very fact that I’m having this conversation could put me in a perilous situation. Let’s not forget what side I’m supposed to be on.”

“Then I’ll make some calls. Maybe we can meet you half way.”

“You mean Polunsky?”

“Yeah. Does that work for you, Del?”

“Whatever it takes. The clock is ticking,” Kruger responds.

“Then I guess it’s time to call in a few favors,” Warden Stark says. “Give me a day. I’ll find a way.”

## Chapter 32

News of the death of Curtis Crowley has a chilling effect on Lacey, but she's an investigator's wife. This is far from her first tale of murder. She considers my findings from the crime scene and much to my disappointment, she agrees with my assessment regarding David Moore.

I rather hoped she would burst a hole in my logic. And to make matters worse, I received a follow up call from Chief Morales that has all but solidified my reasoning. A more in depth review of the crime scene suggests that Curtis Crowley was burglarized. It appears he stumbled upon the thieves in the act and his death became an unfortunate necessity.

"Such evil," Lacey murmurs. "I'll never understand it."

I move past it and cue Lacey in on the Defender Group's social media campaign. This is right up her alley. We move to the study and she drops down in front of the computer. I'm content to let her tap the keys while I recline in my chair next to her.

She's quick to find what she's looking for. Hillary's crew has wasted no time creating the necessary Twitter hashtags to bring Karl Dutton's plight to the forefront. The conversations have already begun.

Lacey reads off the hashtags as she finds them. "#freeKarlDutton, "#whokilledCurtisCrowley, #abolishdeathpenalty, #impeachgovernorwilson."

"Ouch. That last one is a bit risky, don't you think?"

"Not at all. These can't be linked to any one person. They're anonymous lead-ins to get the conversation rolling, one-hundred-and-forty characters at a time."

"But it's just chatter. What real good can it do?"

"A few hours ago, few even knew the name Karl Dutton. Now a thousand strong are speaking out against his execution. I'd say that's quite a start."

"But I'm sure Governor Wilson is not among that thousand. So for all practical purposes, a million voices won't make a difference," I say.

Lacey appears unmoved by my pessimism. "You have to let it stew. Once this goes viral, there's no saying who might catch onto it."

"And how do we know it will?"

"We don't."

My shoulders drop. "That's what I thought."

Lacey taps feverishly on the keys.

“What are you doing?”

“Becoming part of the conversation.”

“Are sure about this?”

“Time is running out and I’m not hearing any better suggestions.”

“Touché’.” I get up. “Fire away and let me know what becomes of it.”

Lacey last words bang around in my head. As always she’s right on the mark, I don’t have any better suggestions. Nearly three weeks in and I’m no further now than I was at the start. Of course, maybe Governor Wilson will be swayed by the pending testimony of Leonard Poe. I kid, of course. I’ve got nothing.

## Chapter 33

David Moore sips bourbon on the raised back deck of his father's Lake Austin home and stares aimlessly at personal watercrafts traversing the narrow passage, battling playfully in each other's wakes. The magnificent backdrop of tree covered hills dotted with white and pink limestone and the ever present and tranquil flight of short tail hawks circling above is lost on him. He's deep in his own considerations and heartache, wondering how it ever came to this. His colleagues are inside, content to allow him time alone.

He arrived with three young attorneys at the request of his father. He came willingly but neither has yet to speak a word to the other. He pauses inside long enough to pour himself a drink before retreating to the deck.

Word of the death of Curtis Crowley has little effect on the fledgling attorneys of Moore, Halston, and Moore. Their dockets are plenty full with issues of their own. The notion of wasting time in the lavish dwelling of the least personal of the three partners is both awkward and unproductive. Furthermore, the whole matter is quite confusing.

They understood the relationship between David and Curtis was platonic, a byproduct of years of professional involvement. His elevated grief seems a bit overdone and overly dramatic. Jonathan dismisses them after thirty minutes of uncomfortable silence then steps out onto the deck. David acknowledges his presence with a quick glance, then looks back out onto the lake.

Jonathan moves to the rail and considers his words carefully. "I know how difficult this must be."

"Do you?" David's tone is terse.

"I've lost a good friend myself. I know how it feels."

"A good friend? Even now you can't bring yourself to admit what we had together?"

"I know it hurts."

"I loved Curtis. Are you too wrapped up in your image to accept that? We were lovers. Queer as jaybirds."

Jonathan grips the railing, shaking with anger, unable to look his son in the eye. "Do you really think I'm not aware of your lifestyle? I've known for years and I find it disgusting."

"That's your issue to deal with."

Jonathan grunts with a look of disgust.

"I loved him," David says softly. "I don't care how that makes you feel."



“You haven’t the slightest idea what real love is. You’re a selfish, manipulative child. It’s always about your own wants and needs. One lover after the next with little regard for the carnage you leave behind. He may have been in love but to you he was nothing more than a convenience. A good time.”

David huffs. “Just because you don’t accept this lifestyle doesn’t mean it wasn’t real.”

“I’ve made my peace with your choices but I’ll never understand them. As far as I can see, you’ll give it up to whoever is willing.”

“The apple doesn’t fall far from the tree.”

Jonathan gives no credence to the retort. He turns toward David with an icy glare. “Don’t you get it? Hogarth has figured the whole thing out—he just has the players mixed up. I heard every word he said to you. Hogarth believes that you concocted this whole plan, not me. He was prepared to pin the blame directly on you. Once he did there’s no way Curtis was going to remain quiet. If he believed your freedom was in jeopardy, he would have told Hogarth the truth without a second thought. The whole truth. He turned on Elizabeth once out of nothing more than spite. What would have stopped him now?”

“So you kill him first so he doesn’t turn on you?” David says a bit too loud.

“Keep your voice down,” Jonathan yells, searching the surroundings for any sign of eavesdroppers. He lowers his voice. “That’s right. I killed him to keep him quiet. He didn’t know how to keep his mouth shut. Once Hogarth learned the truth we were all going down. And that includes you.”

“Why me? I had nothing to do with it,” David snaps back.

“Sometimes you’re more naïve than a first year law student. It amazes me really. Let me piece it together for you. Virginia Crowley is thrown to her death and the legal firm of Moore, Halston, and Moore shows an unsubstantiated blip in revenues of five million dollars. Money just happens to appear in lockstep with the distribution of the will.”

“And that’s on you.”

“That’s on all of us.”

“And you wouldn’t vouch for your own son? How very pathetic.”

Jonathan wags his head. “You just don’t get it do you? It doesn’t matter what I say to the court. A father taking the fall for his son is the oldest game in the book—no one’s going to buy it.”

“But Hogarth has nothing on me. Curtis would have never taken the bait.”

“There were only three possible suspects in that courtroom, Karl Dutton, Elizabeth and Curtis Crowley. As it turns out, Dutton’s defense attorney is sleeping with two of the three. I’d say Hogarth has a whole lot on you.”

David is unmoved by the rant. He takes a long pull from his bourbon and spins the ice in the glass. “I think there was more to this than keeping Curtis quiet. This is about payback. Pure cold-hearted payback.”

“Don’t you dare.”

“I stole Elizabeth from you and now we’re even.”

“Watch yourself.”

“Why father? Have I hit a nerve? Is that’s what this is really all about? I stole the love of your life and you just had to get even.”

Jonathan flushes with ire. His tone is sharp and direct. “You have no idea how to treat a lady. Elizabeth had needs you could never meet. You used her and went on your way.”

David smiles brightly. “I’m quite certain her needs were met.”

“You’re a smug pig. This conversation is over.” Jonathan moves to the doorway. “What’s to stop me from turning you in myself? They may not believe you but I’m quite certain they’ll believe me.”

The threat misses the target. Jonathan has already thought this angle through. “Because you’re a hack, that’s why. You’re nothing more than a mediocre lawyer with limited prospects. They see you as a Daddy’s boy in legal circles, a boy clinging to the shirttails of his successful father. No one else wants you. With me, you’re destined for a lifestyle you don’t deserve. Without me you’ll spend the next thirty years defending impoverished miscreants in traffic court.”

David sits in dazed silence.

“Pick your chin up, boy. None of this should come as any shock to you. The only accomplishment of your miserable life was being born well. That’s more than most get. Now get out of here and keep your opinions to yourself.”

David gets up and moves toward the house. Jonathan fires one final dagger. “So help me, God, boy, if you utter a word to anyone of what went down today, I’ll see certain that this whole mess points directly back to you. It’s my word against yours. You had one friend in this matter and he’s no longer able to speak. And if you think for a minute that Elizabeth will take your side, you’re more naïve than even I thought. She despises you.”

David has plenty he wants to say but his spirit is too crushed to bother. He races out of the house without a word.

## Chapter 34

Warden Del Kruger has his Bible in one hand and a nightstick in the other as he enters death row. He holds the nightstick loosely allowing it to rap against the cell bars like a playing card in bicycle spokes, rhythmically announcing his arrival on the mile.

The thirteen men on the row know the sound and what it means; the warden is in the house.

Kruger calls each by name as he passes by their cell. The men respond, greeting the warden as a welcome friend. For most, Del Kruger is the closest thing to a friend they have left in the world.

All but one of the inmates moves to the front of his cell to offer Kruger a welcoming hand or to receive a kind word. He pauses a moment with each man to engage him directly and to share a few pre-selected verses from the Good Book. The men receive it well, most bowing their heads in reverence.

It's a routine most resist in their early anger filled days on the mile, but to a man, each have come to appreciate the sentiment and most certainly the man behind it.

One by one, he works his way toward the last cell, the final home of his next in line to die and the reason for today's visit to the row.

Karl Dutton is sitting up on his cot, his back pressed against the wall. He welcomes the warden with what little essence remains of a man who knows the exact hours left in his existence.

"Good morning, Del," Dutton says softly. It's mid-afternoon but there's no sense correcting him.

"Hello, Karl. How are you holding up?"

"Day to day, Del. Day to day." He's the only inmate who refers to the warden by name. A request made by the warden himself.

"May I come in?" Del asks.

Karl looks at his once Rolex-covered wrist. "My ten o'clock appears to be a no-show. I think I can work you in."

Del smiles and steps inside. "I see there's still some spunk left in you." He pushes the cell's sole chair near the cot and settles in.

"Got a verse for me today, Del? Preferably something uplifting if you don't mind."

"It's all Good News for the ears that will hear."

"Well, I could use some of that today."

The book in Del's hand is a true working Bible, with a thousand hand written notes and a dozen or more bookmarks. He knows the scriptures well, many by heart, but he views the act of reciting them with a closed book as pompous and ostentatious, so he opens the Word to his chosen scripture and reads it aloud.

He's chosen Revelations, his least referenced book of the sixty-six, an oft misunderstood and emblematic book not for the unschooled or unbelieving in the ways of the Lord. But Karl is neither, at least not anymore. Del Kruger has seen to that in his years on the row, a truth that brings great comfort to each in these final days. The verse is short and concise and Karl receives it well.

Revelation 21:4: *And God will wipe away every tear from their eyes; there shall be no more death, nor sorrow, nor crying. There shall be no more pain, for the former things have passed away.*

He closes the book and clutches Karl's hand. "The best it yet to come for God's chosen people."

Karl crimps his lips and nods. "And I owe that all to you, Del."

"I'm merely the Lord's vessel. All glory is His."

There's comfort in the warden's words and most certainly in his tone. Karl is moved deeply. His eyes water and his lip quivers. He wipes his tears with the back of his sleeve. "Well, you get the credit for making me a big old softy."

"I'll accept that," Del says with a gentle smile.

They sit in silence for a long moment before Karl speaks of the matter at hand. "Seven days and counting, Del. One hundred-and-sixty-five hours give or take a few. I'm never quite certain what time of day it is. Can't see any reason for it."

Del is hesitant to fill his mind with hope for this world. He's played witness to this scene far too many times to believe any real hope exists. But these final days are the most difficult for him. More so now than ever before. Never before has he bonded so deeply with the accused. Never has he believed so deeply in the innocence of the man slated to die. He offers a subtle breath of hope. "It's not over yet."

Karl smiles. "I'm not sure I share your optimism, but I appreciate the sentiment all the same."

Del has contemplated his next words a dozen times, uncertain whether another glimmer of hope is more a burden than a gift. But it's all they have and Karl Dutton deserves to know. He starts with a question.

"What do you know of a fellow by the name of Leonard Poe?"

Karl tilts his head in contemplation. "Leonard Poe?"

“Leonard. Lenny. Take your pick.” Del studies Karl’s face for a show of recognition. Regardless of how close he has become to the man before him, Del is keenly aware that even the most tranquil of inmates often have a storied and violent past. It has been eight long years, and the Karl Dutton he first met in Cell Block C is not at all the Karl Dutton he knows today. Leonard Poe is staking claim to the murder of Karl Dutton’s wife, but a lengthy trial and eight appeals say Karl is responsible. Can they both be? Could Lenny Poe have been Karl’s hired gun?”

“Never heard of him,” Karl mumbles. “Should I?”

The look in his eyes tells Del all that he needs to know. Karl is telling the truth.

“He’s an inmate at Arkansas’ Tucker Unit. He’s been claiming for weeks that he killed your wife.”

“Killed my wife?” Karl asks with a confused chuckle.

“That’s what he says.”

“This guy killed my wife? Where the hell was he eight years ago?”

“Living just outside of Austin.”

Karl’s eyes widen. “You’re not messing with me here are you, Del?”

“I wouldn’t do that.”

Karl smiles, his demeanor shifts sharply. “Is anyone taking this guy seriously? Can he prove what he’s saying?”

“We’re looking into it.”

“In a hurry I hope.”

“We’re doing what we can.”

“This is good news, isn’t it, Del? You can’t kill a man while another is claiming he committed the crime, can you?”

“It’s a bit more complicated than that, I’m afraid. It goes to credibility.”

“So is he credible?” Karl asks anxiously.

Del raises his hand, already regretting his decision to discuss Poe. “We have to keep this in perspective, Karl. Plenty of lifers make these types of claims just to have their moment of fame.”

“Lifer? This guy’s inside for good?” Karl’s shoulders slump. “What’s he in for?” Del hesitates too long. “He’s a murderer, isn’t he?”

“That’s not necessarily a bad thing.”

“Not a bad thing? How so?”

“Because we know he’s capable of murder. That much is not in question.”

“I suppose that makes sense. So what has he told you? Does he know details only the killer could know?”

“We don’t know much at this time.”

“Is he connected in any way to the Crowleys?”

“Not that we know of.”

“What has he told you?”

“He claims he can prove he killed your wife but hasn’t yet given the details.”

“What has he said?”

“That’s just it. He hasn’t said much of anything yet. He’s demanding to speak with the DA’s office.”

A sour look comes across Karl’s face. “The DA? The same office that locked me away in this God-forsaken place?”

“Same office, different man. They’re willing to talk with Poe. I’d say that’s a good sign.”

“That’s hard for me to believe. I wouldn’t think the DA’s office would bend if this Poe had a video of his actions. How in the hell did you get them to go along with it?”

“You can thank Hogarth for that.”

This brings a smile to Karl’s face. “Hogarth believes there may be something to this guy?”

“He’s not dismissing it.”

His smile disappears as quickly as it came. “So he’s got nothing on the others?”

“I can’t speak to that. But I suppose he knows this is worth a try. We’re hoping to have Poe and the DA here in a day or two.”

“Less than seven, I hope.”

“Of course.”

Karl is sitting at the edge of his cot, rubbing his hands together vigorously. His eyes focus on nothing in particular, piecing it all together. “What happens if this Poe fella’s story has merit?”

“Then Hogarth and your defense team....”

Karl cuts him off. “Leave my lawyers out of it. They can’t be trusted. Let Hogarth handle everything.”

“Someone needs to file motions. He’ll need a lawyer for that.”

“He’ll figure it out. Just keep my lawyers out of it. Please.” Karl’s look is resolute.

“Your lawyers are extremely well-regarded, Karl. You must believe they’re doing everything they can for you.”

“Right now I trust about four people in this world, none of which practice law in Austin, Texas. Please. Keep them out of it.”

Del nods. “I trust I’m on that short list.”

“El número uno, compadre.”

Del smiles. “I’ll leave the matter in Hogarth’s capable hands.”

“Thank you.”

He slaps Karl on the knee and bows his head. Karl reacts in kind. “Let’s pray, shall we.”

“I can think of nothing better.”

## Chapter 35

Unlike most states, the state of Texas elects its Lieutenant Governor on a separate ticket than that of the governor, leaving the incumbent LG to endure the rigors of his own campaign. Despite that separation, Howell DuPont is mindful that the good people of Texas view Governor Rhett Wilson and himself as one in the same, an inseparable tandem.

How they feel about the governor is akin to how they feel about him, like it or not. And that no longer brings the same level of comfort to Howell DuPont as it once did. Though he's yet to admit it to a soul, DuPont has grown weary of the closed minded views and deep rooted party ideology of his long-time friend and cohort. He's quite certain the electorate has as well.

This latest matter of Karl Dutton's execution, though trivial with regard to one's effectiveness to govern a state, could well serve as a tipping point in the upcoming election. Based on what he's viewing on the social media sights, someone has begun to stir that pot. He mumbles Hogarth's name as he moves from one sight to the next.

Though many beat their chests with pride over Texas's inflated execution rate, there's a rapidly growing body of voters that view state ordered killings as barbaric, outdated and even downright medieval. Howell DuPont is profoundly aware of this shift in mindset among the electorate, and equally aware of higher voter turnout among the socially conscious.

In contrast, the governor is either oblivious or undaunted by the views of those he refers to as "social do-gooders with nothing better to do."

Despite the political hay that could be garnered among these mostly left-leaning voters with a simple show of compassion toward the condemned, the governor remains resolute in his conviction. Karl Dutton is a two-time killer who deserves to die.

Howell DuPont was once reluctant to join in on the technological revolution of social media. A classic political glad-hander from back in the day, he loves the personal touch and the face-to-face that has served him so well. Time and declining mobility has opened his eyes to the convenience of the one-stop-shopping that the internet provides. It's the world at his fingertips from anywhere and at any time. He now considers himself quite savvy in the world of social media and has even created a few anonymous Twitter names to keep him in touch with public views. Of late the newest viral buzz is right up his alley.

DuPont follows one hashtag to the next, astounded by the overwhelming show of support that Karl Dutton has gained in a matter of days. Tens of thousands are forming an internet kinship with a man who was nothing more than a distant memory just forty-eight hours earlier. Their opinions are resoundingly consistent.

*The state of Texas is executing an innocent man.*



Howell wags his head in disbelief. “Based on what?” he grumbles as he continues to click and read. The tone of the posts is sharp and concise. It’s become a battle of one-upmanship, a skirmish to present the most audacious and bold argument with a hundred-and-forty characters and a tiny url.

The latter ranges from videos of executions gone wrong to daunting statistics of the wrongly accused and DuPont has stumbled on more. The death of Curtis Crowley has been linked to the storyline. DuPont learned of the homicide like most others, complements of the local evening news. Until this very moment he made no connection between the deceased and the condemned, a connection he finds he can’t easily dismiss without thorough review. The notion that one of the prime alternate suspects in the death of Virginia Crowley is ‘silenced’, as they’re calling it on-line, days before the execution of the condemned can’t possibly be unrelated. His consideration of the matter lasts a moment before a glaring angle trumps its significance.

*A man by the name of Leonard Poe has captured the main stage.*

For the moment, the name means nothing to DuPont. He follows one hashtag to the next with guarded skepticism, taking in all he can about the man claiming to be Virginia Crowley’s real killer, albeit written by those who know the very least about it. He’s enthralled all the same.

Poe is more than a mere apparition as proven by several links. He’s a convicted killer of the worst kind, enjoying three hots and a cot at the expense of the Arkansas taxpayer. Unnecessary links to his crime show a ghastly scene of inhuman evil. Two bodies skewered and left to die in a grisly display of unthinkable terror. DuPont spends but a moment on each link and moves on, seeking more substantive information.

He quickly learns of Poe’s lengthy criminal record and various assault charges, none of which means more to DuPont than the fact that Poe committed his string of petty crimes in Williamson County, ten miles northeast of downtown Austin. He skipped parole eight years ago and fled Texas to neighboring Arkansas, where he successfully ducked the long arm of the law until the discovery of his heinous double homicide.

It means little to DuPont other than the coincidental fact that Leonard Poe lived in proximity to Austin at the time of Virginia Crowley’s death. DuPont ponders his findings for a long moment then places a call. At the sound of Hillary Pride’s voice he cuts right to the chase.

“What do you know of this Leonard Poe?”

“Hello, Mr. DuPont,” she says respectfully.

“Is this the evidence you planned to provide me, Hillary?” His tone is a mix of mocking derision. “Please tell me you have more than this to bring to the governor.”

“Poe is news to me as well.”

“Good. But you are aware of this Poe then. Surely this convict isn’t being taken seriously?”

Hillary has no intention to take a position on a matter she knows little about. She avoids the question with a light-hearted misdirect. “I see you’re no stranger to social media. Good for you, sir.”

“I dabble a bit. Why not? So tell me, who got this ball rolling? Was it your office or Hogarth?”

“I can’t imagine what you’re referring to, sir.”

He grunts softly. “Fair enough, darlin’. I can’t say I blame you. This is how the game is played these days.” He shifts gears. “I’ve learned of an unexpected connection between Dutton and this Curtis Crowley fellow.”

“Yes.” She draws out the response as if to say that’s nothing new. “The connection has been there all along. Surely you remember him from the trial.”

“I do but it’s been a long time, dear. I’m not quite as in tune or interested in the matter as you. The name has faded from my memory, what with having a state to run and all.”

“I meant no disrespect.”

“None taken. So tell me, what do you know about him?”

“He’s dead. That’s it,” she says plainly.

“I know he’s dead, darlin’. What I meant is who made him that way.”

“I haven’t the foggiest idea, sir. And from what I understand neither do the police.”

“And Hogarth?”

“He has a theory but admittedly is unsure as well.”

“Neither of you deny the coincidence of timing?”

“Sir?”

DuPont huffs. “I’m too busy, and quite frankly, too old to play games, darlin’. Dutton is scheduled to die in less than a week and one of the prime suspects turns up dead. And unless the AMA has changed the definition, I don’t believe a bullet to the skull is considered natural causes. So tell me, who needed to keep him quiet?”

“I wish I knew.”

“So you don’t deny the reason for his death.”

“I can’t say for...”

“No need to answer that. I think we both know something is awry.”

They share a long silence before Hillary presents the looming matter banging around in her head. “Correct me if I’m wrong, sir, but it seems you’ve taken a radical shift in your certainty of Karl Dutton’s guilt. Or perhaps you’ve just come to accept the inhumanity of state ordered killings.”

DuPont chuckles at the notion. “My position is rock solid with regard to justifiable executions. I’m all for them, period. And I also remain unwavering in my commitment to proper justice.”

“So you have doubts regarding Karl Dutton’s guilt?” she asks with a bounce in her tone.

“I have no position with regard to Dutton one way or the other. I am concerned with satisfying my oath to my constituency. When the people speak, I listen.”

*Since when?* Hillary keeps her cynicism to herself. “So you see some merit in what you’ve read online?”

“I’ll admit that I’m tentative to move forward with an execution without some answers to these new questions. Unfortunately I have no say in the matter. My doubts are mine and mine alone. Governor Wilson controls the hangman’s noose.”

“But you have his ear. Surely you can buy us some time.”

“Of course, but I need some help in the matter.”

“Just say the word,” Hillary says, encouraged.

“Find Curtis Crowley’s killer and make a concise and indisputable connection to Karl Dutton and Virginia Crowley. Then acquire irrefutable proof that this Leonard Poe was the one who tossed Ms. Crowley from the forty-seventh floor of the Austonian. Do each of these in the space of a week and I may get the governor to budge.”

“You know neither is probable.”

“I don’t mean this as a jest, dear. Truth be told, I’m on your side in this matter. But those are the terms whether we like it or not. Governor Wilson won’t defy Judge Thornton’s ruling or the findings of the appellate courts with anything less.”

“I’d call that closed minded.”

“He likes to think of it as deep conviction to his beliefs.”

“There’s often a thin line.”

“Touché’.”

“We’ll file motions regardless of our successes in the coming days, sir. Plenty, I ‘m sure. I think it only fair I give you a heads up.”

“I would expect nothing less.”

“The courts will have no choice but to address each and every one.”

“I’m quite aware how the process works.”

“I also should inform you of an impromptu rally on the capitol steps tomorrow morning.”

“How in heaven’s name did you coordinate such a thing in such short order?”

“I see you haven’t yet read every hashtag regarding Karl Dutton. Truth is, I had no hand in the matter.”

“So this is Hogarth’s doing?”

“Perhaps, but there again there’s no telling. Someone gets the ball rolling and the original source is lost amid the mass of tweets. ”

“I suppose it doesn’t matter either way. These rallies have become such a matter of routine in this town they’ve lost their bite. They’re seldom more than a handful of socially misguided kids among a smattering of modern-day hippies and homeless bums. None will have any effect on Governor Wilson.”

“He may not be compelled to respond to the activists, but he may be moved by the media coverage.”

“And what makes you so sure they’ll stir up the media?”

“That’s where Hogarth comes into play. The press still views him as newsworthy. It doesn’t take him more than a phone call to get a camera crew or two on-site.”

“I admire the spirit but I fear it’s too little too late. The governor is quite unbending.”

“Even with an election looming?”

“Now, Hillary. The governor doesn’t consider such matters when making decisions on issues of great importance. There’s a man’s life at stake, by God. Show a little respect. Do you honestly think he’d consider how he can gain politically on the matter?”

“I’m not sure. How about you?”

“How about me, what?”

“Is that the reason you’re suddenly interested in the truth? Perhaps you figure you can win good favor with the socially conscious, left-leaning voters.”

She expects a harsh scolding for the implication. It doesn’t come. DuPont is too seasoned and too calloused to be scarred by every barb thrown his way, and certainly not by one thrown by a greenhorn like Hillary Pride. He is, however, impressed with the accuracy of her summation, though he has no intent to admit it.

He brushes off the barb. “I’m on your side in this matter, darlin’. Does it really matter why? I’m our only chance of getting through to the governor, like it or not. And though I see it as nearly impossible, it’s all we have. Now get out there and chase down some answers. Time a wastin’, and the sands of time stop for no man.”

## Chapter 36

The first leg of Transaero Airlines Flight 432 from Rimini, Italy to Los Angeles' LAX is sparsely populated, just as Brajko Markovic prefers. The ticket agent reviews his boarding pass as he enters the walkway and refers to him by name.

“Have a nice flight, Mr. Adelman.”

He finds a window seat near the rear of the plane in an unoccupied row and settles in for a much needed rest. The next two legs of the trip could certainly prove more difficult. The itinerary includes a switch to British Airways in Moscow and a yet another change of aircraft in London. Neither hold a high level of hope for much needed privacy, but Brajko remains cautiously optimistic that his identity is intact for now.

His dyed black beard and full head of hair are in stark contrast to the mug shot currently posted on the FBI's ten most wanted. The classification that would force most into isolation and fear, but not Brajko Markovic. He's rather amused with the game and proud of the well-earned ranking, albeit a few ticks lower on the list than he prefers. Perhaps that will change in the days to come with the eminent slaughter of a young family of four.

Brajko arrived in Italy with a somewhat less than smooth entry, bringing the Bootlegger aground on the shore of a private residence just north of Rimini. His arrival, though unconventional, went unnoticed, much to his liking. He left the Bootlegger where it landed and continued on foot. He dined in a small uninhabited *caffetteria* in a low rent district of Rimini near the bus terminal, the latter of which served the dual purpose of transport and a night's lodging. The night was spent among vagabonds and thieves, but he went unnoticed nonetheless.

Money was no issue to Brajko, of that he had plenty having spent several years as a senior lab technician in the employ of Lexicon Bioscience. The deadly bacterial strain he had “borrowed” to terrorize the greater DC area and the United States as a whole, were one of the many reasons he had become a wanted man. He was a man of respectful means but for now his bounty was limited to cash only. Much went into the coffers of the airlines that provided him with the ticket that would ultimately bring him to the city of Los Angeles, a day's drive from his final target.

## Chapter 37

Although remiss to take credit for the idea, I can't help but believe that my Lacey played a significant role in the success of today's rally. Her declaration that she was becoming part of the online conversation was an understatement at best. Lacey dove in with reckless abandon, creating her own hashtags, #rallyforKarlDutton and #Duttoncantdie. The result was twenty-two-hundred tweets in the space of twenty-four hours. Many voiced their intent of being on hand for the nine a.m. start on the capitol steps.

I made calls to the local media and their national affiliates with little hope of success. For the moment, it seems my self-proclaimed prophesy has proven correct. The only cameras in sight are those connected to the I-phones of the fifty or so rally-goers.

As of last night I had no intention of attending. I'm not a really rally kind of guy and certainly not a believer in the good they can do. I'd rather not be recognized and approached. The last thing I need is to be probed for good news regarding Karl Dutton's pending execution. Quite simply, I have none to offer. If the rally accomplishes anything, it's going to be tied to the death of Curtis Crowley and the all too coincidental timing of his death. Bringing that to public attention may be newsworthy—if there was media on hand to record it.

What I see right now is the same old usual suspects, toting pre-made signs they pulled from attics and spare closets. They bemoan capital punishment as a matter of principle. The identity of the condemned is a minor generic detail that plays second fiddle to their larger agenda. My guess is many can't recite Karl Dutton's name without first referencing their Twitter account.

Lacey is in the middle of it all, shaking hands and making new friends. It's a side of her I haven't seen in some time. I can't say I mind it one bit. It's been far too long since I've seen her so engaged and full of life. I take this all in from the comfort of a street side park bench on Congress Avenue, not yet fully committed, a safe one-hundred yards from the assembly with no intention to move any closer anytime soon.

It's a beautiful summer morning, as are most in Austin. The sky is a deep blue with not a cloud in sight. There's a slight breeze. The sun has yet to display its full strength.

A city bus pulls between me and the rally, completely blocking my view. I watch as its occupants slowly unload. My relative seclusion on this bench is nearing an end. I place a call to Hillary Pride's cell, half wondering if she's already on the capitol steps or still at her office three blocks away. She picks up after one ring.

I praise her on her incredible social media success and for the rally itself. She neither denies nor takes credit for either. Her tone is pure business. She unloads her findings on David Moore's assets at and around the time that Virginia Crowley's will was dispensed. I cringe silently over the fact

that she so actively pursued an angle I now believe is a dead end/ I should have called off the dogs days ago. I feel a touch of shame but choose to keep it to myself.No sense creating a riff between us when we can least afford it. I respond to her findings with a series of “uh-huhs” and “ok’s”, almost hoping she’s found nothing. As it turns out, I get my wish. There’s no record of significant new assets or expenditures in David Moore’s records. And certainly no new titles of ownership filed with the county, the state of Texas, or any other state for that matter. And no titles means, no new homes, cars, boats, motorcycles or any other large purchases. David Moore did not behave like a man that had just come into five million bucks free and clear. And why would he?

I no longer believe he got a dime from Elizabeth or Curtis or whoever else might be involved. But I do believe he knows who did. And for that reason alone, I’m not yet done with David Moore, though I doubt he’ll avail himself to me anytime soon. I put on an air of disappointment regarding the findings but Hillary doesn’t make much of it either way. Her focus has been re-routed, thanks to a lengthy conversation with the Lieutenant Governor.

“So DuPont is on our side? I say more than ask.

“On our side, yes, but useless without something more to go on.”

I’ve been listening to Hillary with my cell pressed against my ear and my eyes burning a hole in the sidewalk. When I look up the city bus is gone, long gone I’m sure.From what I can gather, its occupants have nearly all joined in on the rally. What once appeared to be around fifty, give or take, has swollen another fifty percent or more.Plenty pass by me on Congress Avenue with protest signs in hand.

Hillary tells me what I already know. The governor needs firm proof that Leonard Poe killed Virginia Crowley to even consider a stay of execution. Even then it’s doubtful he will budge.

A credible storyline proving that Curtis Crowley was murdered before he could leak the truth about Virginia Crowley’s death, may aid in our success but there’s little hope in that prospect. We need to find his killer first.

We know where to find Leonard Poe, Curtis Crowley’s killer is a different matter altogether. He or she remains at large. I suspect they’ll be successful in securing that status long enough for Huntsville to perform their next scheduled execution.

We discuss filing motions with the court, a discourse that is mostly one-sided. This is Hillary’s area of expertise and from the sound of it she’s quite versed in process. This gives me hope until she states quite unequivocally that she has no intention of wasting the court’s time with frivolous motions based on nothing but hearsay. We need more substance to put before the courts or our credibility will be shot. To make matters worse, she explains, the courts tend to frown on motions made by anyone other the defendant’s attorneys of record. A lack of motions on behalf of the defense speaks volumes to the validity of third-party submissions.



It's rather safe to say that MHM won't be exhausting the manpower necessary to submit any last minute motions. So we're dead in the water. Not at all where I had hoped to be at this late hour.

A KVUE news van drives by and comes to a stop along the curb. A second marked KXAN is not far behind. This gives my spirit a subtle boost. I tell Hillary what I see but quickly learn that there's no need to relay the information.

"Look to your right." She's on foot, coming up Congress Avenue with her co-workers in tow. They have signs, already raising them and thumping them in the air. They look like union picketers save for the fashionable attire and soft features.

To my left a university shuttle bus unloads another load of the socially conscious. As it pulls away, I see the difference that ten minutes can make. The steps of the capitol are nearly covered and the long wide walkway traversing the grounds from the foot of the steps to Congress Avenue is beginning to fill. And it's only nine-fifteen.

Hillary introduces me to her entourage as "a man who needs no introduction." I blush as I often do and shake hands with each. All but one is my junior.

The exception is the familiar face of Terrence Baird, a well-known and outspoken University of Texas law professor. Baird is known for his defense of the indefensible, not the least of which was James C. Cross, Jr., an unassuming monster who etched himself deeply into university lore with the rape and strangulation of two co-eds decades ago. He served twenty-six years of a life sentence before gaining his release on appeal, thanks in large part to the efforts of one Terrence Baird.

Cross now walks the streets of Dallas a free man, a fact that doesn't sit well with many on this campus or across the state. For others, he's viewed as nothing more than an aging man with a troubled past; one who's paid his debt to society, a reformed soul completely detached from his past sins and worthy of a second chance.

Professor Baird falls into this second group, though he would never openly describes his position as such. He proclaims his role to be the assurer of due process for all. The result is secondary to the promise of this most immutable right.

I don't buy any of it. What I see in front of me is a man mired in what novelist Tom Wolfe described as the *Me decade* and the *Third Great Awakening*. He's a fervent anti-establishment throwback from the days of Jim Crow laws, Vietnam protesters and rousing social change. A unique soul with an unquenchable fire in the pit of his gut to rise up society's forlorn and mistreated. It's a persona he wears as a badge of honor and without apology.

While I admire the precept I question the choices, leaving me with a mixed opinion of the professor somewhere between angst and admiration. One thing is certain—I'm glad he's on our side.

I excuse myself with a promise to join them on the capitol grounds in short order. For now, I've decided to pay a long overdue visit to the Austonian.

If not for today's rally and its close and coincidental proximity to the site of Virginia Crowley's death, this case could come and go without another visit to the Austonian. I've spent ample time outside the building, examining the point of impact and imagining and re-imagining the scene over and over in my head.

The eye witness claims in open court that Karl Dutton was seen in the hallway, the elevator, the lobby and the outside sidewalk mean nothing to me. Whether or not each one told the truth or fulfilled some need to be part of the hoopla surrounding the nationally covered trial makes no difference. The truth is undisputable. Karl Dutton was in the Austonian that day, a fact he never denied.

So why the prosecution felt the need to play the Austonian's video footage ad nauseam during the trial and why Judge Marta Thornton allowed it, makes little sense to me. Even the defense knew enough to take a pass on all but one of the eye witnesses.

David Moore spent a few ill-advised minutes challenging the accuracy of the videos internal clock with an eye witness that happened to be a member of the buildings security staff and that backfired badly. He excused the witness while he was still proudly blathering about the technology of the state-of-the-art video system.

I can only imagine the satisfaction the DA derived from those few moments of damning testimony and the ensuing look of disdain Jonathan Moore undoubtedly gave his son.

My curiosity today lies solely in the actions of Karl Dutton in the minutes following Virginia Crowley's epic fall from the forty-seventh floor. It's a seed of suspicion that Marty Pratt planted within me, and one I should have considered from the start.

I need to know why a man who just tossed a woman to her death would exit the building at the very point the deceased would have landed. Wasn't there a better way for a guilty man to slip away from the scene?

It's a question that should have been addressed at trial, an oddity the prosecution should have been forced to address and the jurors should have been allowed to consider. It's my opinion, of course, that Karl Dutton had no idea he would discover his ex-wife spread out on that sidewalk.

I imagine he happened on the shocking scene and lingered in a state of disbelief, perhaps even unaware the badly maimed body was that of his ex-wife. It's a question that needs answers, however insignificant my findings at this late hour.

I enter the Austonian at the main entrance on 2<sup>nd</sup> Street. This is the only visible entrance from street view.

Two fashionable restaurants line the Congress Boulevard side of the building, neither with direct access to the upscale urban living quarters. The Austonian is just as upscale as expected. The lobby is surprisingly narrow but well appointed. I feel all at once a bit too casual in my appearance, but that's not uncommon for me.

I get over it and engage the security guard at the reception desk, making no false pretense as to what I have in mind. I provide my credentials and grant him as much backstory as needed. He reviews my identification with cool indifference, shrugs, then leads me where I need to go.

We move deeper into the lobby, past a set of elevators and down a marble-laden hallway—and just like that there's no need to go any further. Two brightly lit exit signs are mounted at eye level pointing in either direction. The guard assures me that both exits are serviceable. One leads to the oft used parking garage and the other to a back alley. The latter is considered an emergency exit by most.

Two suitable exits and the accused chooses to walk out into a rapidly forming crowd gathering around his badly maimed ex-wife? That's either morbid or unaware. I'm going with the latter.

I thank the guard for his time and head back outside to think through what it means. The answer confirms what I've suspected for weeks. Karl Dutton had no idea his ex-wife was the one lying dead on the ground.

A most concerning matter is the simple fact that Dutton's defense team chose not to mention the optional exits and the illogical, albeit circumstantial fact that Dutton chose not to run from the scene of the crime. Quite the opposite really.

Moore, Halston, and Moore could not have missed this small detail. They're too good for that. So why didn't David bring it up at trial? And why have I so quickly dismissed him as a prime suspect?

David Moore pounded away at Elizabeth and Curtis Crowley in court. One might even say he had them on the ropes.

It's a notion that seems implausible given the relationships he formed with each in the months following the trial. But I've accepted his explanation that the misguided dalliances didn't begin until several months after the trial.

My reviews of the court records show two diametrically opposed David Moore's in that courtroom. One made an impressive and persuasive case against Curtis and Elizabeth Crowley. Another floundered with the simplest of details regarding Karl Dutton's actions following Virginia's death. It was as if David exhausted all his hutzpah in the opening weeks of the trial. He finished with a weak and unprepared finale, throwing in the proverbial towel, never again attacking the Crowley's for their blatant motive and ample opportunity. So why did it all go down this way?

What quenched the fire in David's gut? Had he already started his romantic involvement with Elizabeth and Curtis or was it something much more sinister?

As I turn back up Congress Boulevard I'm taken by the scene unfolding in front of me. The rally has swollen significantly in size in the short time I've been satisfying my curiosity at the Austonian. The media vans are firmly planted along the curb, unloading their gear and preparing to speak with anyone willing to talk. I suspect they'll have more than their share of willing participants.

As I draw closer, I see that Hillary Pride and Professor Terrence Baird engaged in conversation with a familiar face from KVUE. They appear comfortable with the cameras catching their every nuance and the microphones shoved inches from their faces.

Baird appears to be in his element, even somewhat euphoric. He's no doubt filling the microphones with the morbid and barbaric evils of capital punishment.

Somewhere in it all is Lacey. I text her and she responds immediately: "On the steps."

I look her direction to where she's waving her hand. I wave back but have no intent to draw closer. I text back: "keeping my distance."

I receive a simple, "OK."

The rally-goers are committed but peaceful and seemingly from all walks of life. The expected middle-aged sixties-throwbacks and modern-day hippies, evident by their piercings, tats, and even a bit of tie-dye, are on hand.. A more significant number appear to be young politically-conscious students from the nearby universities and surrounding neighborhoods.

The mood is light; and most appear to enjoy the simple camaraderie. To my left I see several dozen have left the capitol grounds and made their way to the governor's mansion a few hundred yards away.

Police already surround the outer gate to block their advance. It's common knowledge that the capitol belongs to the people but the mansion is a private residence. There will be no encroachment today or any other day for that matter, a rule vigilantly enforced. Still, the gatherers are undeterred.

Vocal trespassing is difficult to legislate. They begin chanting "stop the killing" at high decibels in a vain attempt to draw the attention the mansion's main resident. The chants bring many more to hustle toward the mansion gates and join the fun.

Television crews break free from predictably mundane conversations and move their equipment toward the new raucous. Even more are drawn by the excitement a camera crew brings.

I find myself where I didn't intend to be, caught up in a rush of humanity with the media just steps away. I keep my head down but it's too little, too late. Someone calls my name and before I know it there's an unwelcome microphone shoved in my face and a camera close enough to surmise that I nicked my neck while shaving this morning.

"Will Hogarth?" asks a familiar correspondent.

"Yeah. I'm Will." This affirmation says I'm free to speak.

"This is quite a turnout for your client. I imagine you're quite pleased."

"Social media is a wonderful thing," I say.

I'm no fan of unplanned attention but this is not about me. I know that. Karl Dutton needs his plight to go public with rapid speed. I'm silently ashamed for not getting the ball rolling earlier but there's some justification for my lack of effort.

I'm keenly aware that Markovic may be watching my every move. It's a fear I confront each morning and deliberate uneasily each night. My certainty that he remains hemmed in by Ethan's men and the Croatian border patrol is shaky at best. To Ethan and his men, Brajko Markovic is just another bad apple on the run. To my misfortune, I know him much more intimately than that.

Brajko Markovic is as brilliant as he is evil and he's relentless in his efforts. For all I know, he's watching me this very moment, well aware that Michael and Ellie are apart from the protective eyes of their parents. I can only wonder and hope that Hector alone can keep them safe.

The reporter looks toward the mansion then over his shoulder toward the capitol grounds. "There must be hundreds or more on hand."

"It's quite remarkable really," I say genuinely.

"What is it you hope to achieve here today?"

It's a question I can't honestly answer. Public awareness can be effective but if the key players are unmoved by the display, it's nothing more than an exercise in futility. The best I can tell from my vantage point, the governor hasn't yet stepped out on his porch. Truth be told, he's probably miles away. I offer a generic response. "I believe the presence of these folks speaks louder than words. There's a great disdain for the state-ordered execution of another human being."

"And you feel the same?"

I have no intention to take that bait. I steer the conversation away from ideology and onto my client. "It's my firm belief that Karl Dutton is an innocent man."

The reporter is well-prepared. "Eight unsuccessful appeals say otherwise."

The crowd around me grows by the second. Many have even stopped their chants to surround me. It's clear that my identity is known to all and quite welcome. Hands are placed lightly on my shoulders as a sign of support. It's a gesture I openly welcome and feed upon.

Competing stations have become aware of the new attraction and are already moving in and setting up gear. My unwanted stage has quickly blossomed into the likes of a pre-established press conference.

I take a deep soothing breath and prepare to give them what they came for.

"Karl Dutton has spent the past eight years awaiting an execution for someone else's crime. The original conviction and eight ensuing appeals are an appalling travesty of justice gone unchecked. This

conviction is without precedence in the American judicial system.” I shoot from the hip with no real validity to my claims, but the reporter seems to love my fire and has no intention of slowing me down.

“Karl Dutton was sentenced to death on nothing more than circumstantial evidence. The prosecution’s motive was unsubstantiated and Mr. Dutton’s actions following Ms. Crowley’s tragic death defy logic.” I point south down Congress Boulevard in the direction of the Austonian. “As for his presence there on that day...” I pause for effect then finish boldly...“my client was lured to the scene as part of an elaborate set up.”

This gets a rise out of the reporter. A sharp arch of the brow and a quick glance toward his contemporaries give witness. My words have also created grumblings among my supporters. Most are hearing this side of the story for the very first time, buying into it without hesitancy. I’m some sort of knighted-noble today and my words are sovereign.

All at once I need Lacey by my side. I look beyond the reporter toward the capital in search of her. She’s undetectable amid the crowd though I have a strong sense she’s nearby. As I scan the gathering a soft hand gently takes mine. Lacey smiles up at me with those dark brown eyes, a show of much-needed support.

The reporter moves his microphone toward her but I re-direct it with a stern glare. He offers no resistance, more than willing to give me the floor. Then he levies the question I rather hoped he would forgo.

“And exactly who orchestrated this set up as you call it?” His tone is contemptuous. I expect nothing less, but when he looks to his colleagues and laughs it cuts a bit too deeply. When he looks back at me, my demeanor sets him on his heels.

“It’s a shame that true investigative reporting has become such a lost art among journalists.” I say with a bite to my tone. “Perhaps Mr. Dutton would have received justice if your type had shown this degree of curiosity over the past eight years.” I let that linger before stating unequivocally that the true killer will be made public very soon. All who stood by and did nothing will have the blood of an innocent man on their hands for the remainder of their days.

Lacey squeezes my hand and looks at me with guarded confusion. I give her a wink and continue down this path to nowhere with nothing left to lose. “Not the least of which will be the governor himself. Governor Wilson is content to allow a man to be executed in far less time than any number of hardened killers and pedophiles. He’s allowing it without so much as a consideration of our new found evidence. The average time on death row in the state of Texas is fourteen years. My client is scheduled to die in less than nine. The governor has been silent for too long. Karl Dutton is an innocent man who deserves his freedom. We are asking for...” I consider my words carefully. “We’re demanding a stay of execution to re-visit the details of this case, details that were never presented in trial or upon appeal.”

I'm quite aware that my words are an indictment to Moore, Halston, and Moore but it's well-deserved and long overdue.

I've caught my stride and am actually beginning to enjoy my soapbox. But a far more alluring act has arrived on the scene to steal my thunder. Foreshadowed by the opening of the front door of the Governor's Mansion, a well-dressed young man, an intern I suspect given his youthful appearance, steps forward and addresses the crowd. It's a pathetic choice of representation for such a hungry crowd, akin to throwing the chick to the wolves. A hush falls over the gathering as he speaks.

"The governor has heard your pleas and continues to fight for your right to share them. Like you, he holds the value of human life in the highest possible regard, from the small child in a mother's womb to the death row inmate... and all range of persons in between." The young man speaks without notes but there's a rehearsed tenor to his words, preparedness in his cadence. "He believes we owe all citizens of this great state our affection and compassion, and more than anything...our fair and just treatment."

Some light clapping and cheers spring up but it's not to last. I notice the intern is backpedalling toward the door, however slowly. The reason becomes clear with his finishing statement. "Karl Dutton was tried by a jury of his peers..." the claps and jeers cease instantly with the indictment and change of tone, "... and has been afforded eight appeals to prove his innocence." Several indiscernible shouts break the silence of the crowd, none of which are family friendly. The intern moves into the open doorway and levies the final words of his brief and pointed dialogue. "The governor kindly asks that you please honor the established hierarchy by filing your grievances with the appropriate state representatives." A bottle soars over the crowd and shatters at the intern's feet. The intern has seen enough and quickly backs inside.

"Well, that was quick," I say to Lacey.

"And predictable," she says.

"So this was all for nothing?"

"Not necessarily. If nothing else, the governor is fully aware that inaction won't go unnoticed."

"I suppose."

The crowd still faces the mansion as if there's more to come. It won't take long for that optimism to subside.

"Here's your opportunity to flee," Lacey says.

"Yeah...I guess."

"So?"

"I'm thinking."

She smiles. “Thinking you kind of enjoyed the spotlight?”

“Maybe,” I grin and blush. “But maybe I’m thinking I can still be of some value here.”

“Really?”

“Really. Time is running out for Karl. Let’s make some noise.”

Lacey squeezes my hand. “That’s my guy.”



## Chapter 38

The Defender Group has filed hundreds of appeals in capital cases but never have they done so after the eight allowable appeals had been exhausted. As a group they know the effort may be fruitless, but they file all the same.

They do so in the time-honored manner they have become accustomed, first electronically then hard copies filed directly with the Court of Criminal Appeals. Though the appeals process has been completed, exceptions can be made, and given that an execution is looming, the court is on high alert for such a possibility. Hillary Pride files the first set of documents herself, highlighting the circumstantial nature of the conviction with special emphasis on the uncommon brevity of Karl Dutton's stay on death row. She files and waits—it doesn't take long. Denied.

Expecting such an outcome, two of the group's attorneys rush the document to federal court and begin the comprehensive and frustrating process of filing, waiting, and hoping for a miracle.

But hopes and wishes have little to do with the historical successes of the Defender Group. Diligence and persistence are their axiom. The moment the first appeal leaves their office they're busy preparing a second and then a third. They will continue for days if necessary and the courts have no choice but to address each and every documented effort.

While the junior attorneys brainstorm credible basis for additional appeals, Hillary personally makes calls to the offices of the governor and the attorney general. Her verbal and documented request for a reprieve from the governor has been filed for a week and to date has received nothing more than confirmation of its filing. Her continued calls may well be considered harassment if not for her long established and cordial relationships with the secretaries of both offices. As usual they're on her side, but that means little to the powers that be in either office.

Howell DuPont has gone dark the past two days. Hillary is unnerved by his silence. She's confident the Lieutenant Governor will be prepared and willing to whisper in Governor Wilson's ear if and when new and credible information becomes available. It's a gift she has no intent to squander with desperate pleas and anecdotal evidence.

So she diligently continues down the path of appeal, process, deny, hoping and waiting for a certain investigator to provide her with something she can sink her teeth into. If truth be told, her hope is fading quickly.

I'm scheduled to meet with Warden Del Kruger at the Huntsville Walls Unit at ten a.m. I received assurance yesterday evening that his counterpart, Warden Charles Stark, and our last remaining hope, Mr. Leonard Poe haven't run into any last minute bureaucratic snags or red tape.

Stark has arrived in town with his inmate in tow. I grant him the reassurance that the Travis County Assistant DA, Marty Pratt, fully intends to be on hand to represent the DA's office per Leonard Poe's mandate.

I'm intentionally early for my scheduled appointment. I settle down with the regulars at the Café Texan to review my notes and enjoy a light breakfast. Three visits in as many weeks elevates one's status to a new level. Curious stares from the regulars give way to nods of familiarity. Apparently I've even gained acceptance from the formerly frosty table of old men.

My coffee cup is filled seconds after I turn it over. "Let me know when you're ready to order, sugar."

"Do you ever get a day off?" I ask with a smile.

"I'll rest when I'm old, sweetie." She winks and picks up on my newfound recognition from the locals. "They know who you are now. We all do," she says. "Saw you picking a fight with the governor on the evening news."

"Does that make me friend or foe?"

"Depends on what side of the fence they're on."

I motion toward the old men. "How about them?"

"Those old boys? Depends which one you ask, I suppose. Not all folks from this town share the same opinion toward our governor."

"Where might they stand on the death penalty?"

"Same answer. Opinions vary in this town like any other, though I'd hazard a guess that particular group would like to make them open for public viewing."

"So I can't expect any public rallies for my client?"

She smiles at this. "We're not really the rallying type in this town. As cold as it might sound to outsiders, when you live in Huntsville for any length of time, you sort of compartmentalize what's going on down the street. Folks tend to keep their opinions to themselves on the matter, unless, of course, there's a camera in their face." She flips her pad over and prepares to jot down my order.

"Eggs and grits," I say.

She jots and winks.

"Surely some executions create a stir."

She shrugs. “Once and again, but not this one. A rich man dying for his sins doesn’t stir a whole lot of sympathy in a working class town.”

“What does?”

She thinks about this for a minute. “There was a woman put to death a few years back. That created a bit of noise. Not too typical, you know. The media made a big stink over the fact that she found Jesus in prison. Most folks bought into it, figured she was reformed, not the monster she once was.”

“And you?”

“I love Jesus an all, honey, but I’m a bit too cynical to believe any of it. Sounds all too convenient if you ask me.”

“What would folks say if I told you my client is innocent?” I expect that such a bold statement might produce a look of bewilderment or confusion. I see neither. She doesn’t so much as flinch.

“I’d say I expected as much. Just once I’d like to hear one take blame for what he done. Now let me get those eggs started for you.”

I take a long sip of coffee, look over my notes and then toss them aside. My focus is altered to Lacey and the kids—and a monster intent on doing them harm.

The voicemail from Brajko Markovic plays over in my mind for what must be the hundredth time. The intensity and resolute confidence in his voice haunts my every waking moment and finds no decline in the witching hours. Markovic disturbs my sleep and rendezvous’ in my dreams. I text Lacey a simple “Good Morning.” I think of nothing more until her reply shows on the screen. “Good Morning to you. Good luck today.”

This gives me a momentary relief from my concerns, a reprieve that should have come from my call to Ethan twelve hours ago. He’s confident his Croatian dragnet has Markovic caged in like a wild beast, hunkering down in fear with nowhere to run. He assures me no news is good news and that it’s just a matter of time before he surrenders.

*Surrender? Not a chance.* I keep my opinion to myself and thank him for his efforts and the update.

I push my empty mug to the edge of the table. It’s refilled in less than a minute. With another long sip I consider the magnitude of the next few hours. I’m scheduled to meet with Dutton following our interrogation of Poe.

Warden Kruger has informed me that my client is aware of Leonard Poe’s claims and the impending meeting with the DA. It’s a revelation he made with a reticent tone, well-knowing that it would have been better left unsaid.

Poe is Dutton's only real remaining hope, a hope so remote that I should already be drafting an apology to the DA's office for wasting their precious time.

I've been a part of more debriefings in my time than I can count and have seen as much double talk and prevarication as most prosecutors. I've learned to read between the lines and decipher subtleties in both tone and body language. I anticipate we'll see more than our fair share of deceit today, all of which should be challenged and scrutinized, but it won't come from me.

Poe is insistent on speaking with Pratt and Pratt alone. The wardens and I will be left to watch and listen behind two-way glass. It's certainly not what I prefer, but I'm not calling the shots, though I will have some influence.

Marty Pratt and I spent more than an hour on the phone discussing his approach and considering the multitude of questions that need to be answered to have any hope of convincing the courts Poe is credible and worthy of consideration. We devised several cross-questions to test the consistency of Poe's answers, a simple game of asking multiple questions at different times about the same subject to test the consistency of his responses. The truth is easier to reiterate than an off-the-cuff fabrication. If he's lying, we'll know.

This is not a typical interrogation. By definition the interrogation process is used to extract a confession or incriminating statements from a suspect or an accused. Poe doesn't intend to fight us in this regard, quite the contrary actually. He's either proud of his actions or overcome with self-righteousness. I'm guessing the former.

Nonetheless, we anticipate that the truth will be buried somewhere beneath a cluster of half-truths and self-lauding. The time-honored techniques of interrogation will strip the wheat from the chaff.

We agree that Marty will be well-served steering clear of value-laden words that might be perceived as personal attacks. This is Poe's moment in the sun. However disturbed that might be, it's to our benefit to allow him to bask in his perceived fame as long as needed. Alienation is disastrous for Karl Dutton. I for one don't want to be the one to tell him we blew his last remaining hope.

Pratt and I also discussed the death of Curtis Crowley and my belief that his murder was a desperate act to silence him hours before I was scheduled to meet with him. I reiterated my belief that Poe was nothing more than a hired gun, paid by one or more of the individuals that stood to gain financially from Virginia Crowley's demise.

I stop short of calling them by name, allowing for Pratt to consider all possible suspects. I hoped he'd cue me in on one I may have missed. But he offered nothing. Curtis and Elizabeth Crowley are the only names he knows that might possibly fit the bill. He's open-minded to the possibility of foul play from a party other than Dutton. I sense he considers the Crowley's to be nothing more than courtroom theatrics conjured up by Dutton's defense.

I finish my meal and throw a ten on the table. It's show time. All or nothing.

## Chapter 39

Los Angeles International Airport proves no challenge for Brajko Markovic. He passes through connecting terminals without notice and quickly finds suitable transport in the form of a late model Lexus in a long term lot. A break of the steering wheel casing, an attachment of wires, and a cash payment to the attendant puts him safely on the interstate.

Eight-hundred miles later he crosses the Texas state line at El Paso. Here he takes his first rest in a town where false identifications and aliases are commonplace. At the first sign of light he is on the road again, ten hours from the capital city of Austin.

## Chapter 40

Leonard Poe is all I expect him to be, rail thin, pock-faced, and high strung. A steadfast and cocksure grin beneath an arching, meandering beak displays a picket-fence of stained-yellowed teeth and the remains of a half-eaten government issued pastry. His sinister gray eyes dance from side to side in a state of unrest, keeping pace with the rapid bouncing of his legs and the tapping of his fingers. Poe is unshackled but maintains the orange prison garb of the Arkansas' Tucker Unit. His frail, drooping shoulders bring the v of his neckline low on his gaunt chest, revealing an aged but sharply-defined tattooed image of Genghis Khan. The historical figure I'm certain he knows little of beyond the well-documented brutal invasions. It's a telling choice of body art all the same. Poe's a bad seed and he wants us to know that, to respect it.

Marty Pratt is alone with him in a ten-by-ten room. All that separates them is a narrow wooden folding table. A guard watches through a closed door prepared to bounce at the first sign of trouble. Pratt looks undaunted. He outweighs the convicted killer by fifty pounds or more and appears far more athletic and agile.

I watch and listen with a warden on either side of me. Our view behind the glass is over Pratt's shoulder so we'll be able to analyze and consider Poe's every expression and nuance.

Marty Pratt studies his notepad as he begins to ask standard lead-ins.

*Is there anything I can get you? Are you comfortable? Have you been treated well?*

Poe rolls his eyes but remains quiet, the smirk ever present.

Then Pratt offers a lead-in that may just derail us right out of the gate. He introduces himself as the Assistant District Attorney from the Travis County Office in Austin. It's our most perilous moment but one Pratt insisted on. Complete and honest disclosure.

Poe had demanded, or at least implied, an audience with the DA himself, not some underling. The sudden ceasing of his rapid eye movement tells us trouble is at hand. He sits up straight then leans forward. He looks first to Pratt and then to the two-way glass.

"What the hell is going on here?" he shouts. "Whose idea was this? Where's my DA?"

We scramble behind the glass for a clever retort but it isn't necessary. Marty Pratt is unmoved and well-prepared.

"The DA has legal problems of his own. Quite frankly, he couldn't give a damn what you might have to say here today."

The immediate effect of the approach seems counter-productive and inconsistent with our plans, but Pratt is calm and in control. He taps his finger hard onto the table and leans inward, his tone is

sharp and concise. “You listen to me, Mr. Poe. If you have any hope of your words going beyond this room, you deal with me and me only.” He slaps his palm on the table. “I was there when Karl Dutton took the fall for a crime you committed. Me. I was there when they brought him into that courtroom and I was there when they dragged him out kicking and screaming. No one knows this case better than me. You got better than the DA here today—*much* better.” Pratt’s delivery is powerful but it misses the mark. Poe’s eyes once again begin their incessant back and forth dance. He appears ready to explode.

Marty Pratt senses the mounting emotion but continues with greater temerity. “Fine. Have it your way.” He leans back and folds his arms. “We can put this meeting on hold while I try to talk my apathetic boss into scheduling a trip he may or may not be willing to take, to hear the confession of a man who may or may not be telling the truth. Is that how you want this to play out? I’d be more than happy to see how he feels about such an endeavor.” He shrugs. “Of course it won’t be something I can pull together overnight. This meeting, if it ever comes to pass, will take place long after the state of Texas has executed and buried an innocent man. I’ll, of course, tell them of their error and I’m sure they’ll be more than willing to spread the news of their mistake to every media outlet willing to listen,” he says with sarcasm. “Does that sound like a reasonable plan, Mr. Poe? Is that how you’d like to go about this?”

Poe shifts nervously in his chair.

Pratt continues on. “If I leave here today, no one is coming back, Lenny. The truth, or at least your version of it, will be heard by no one but easily irritated inmates. And we both know how they feel about tall tales.” He tilts his head and shows his palms. “But it’s your call. We can send you back to your comfortable prison cell where you can spend your remaining days staking claim to one murder after another to your heart’s content. Or you can speak with me and let it all out. It makes no real difference to me.”

Poe leans back and crosses his arms. He looks to one side and then the other as if contemplating his limited options. Not a word is spoken by either for a long and tense minute. When his eyes finally return to Pratt’s, he offers one word. “Fine.”

There’s a collective sigh among us behind the glass.

“Wise choice, Mr. Poe.” Pratt flips through his notes and jots a few new ones, allowing time to dissipate some of the tension in the room. He smiles at Poe then begins anew. “So tell me why this confession is so important to you.”

“Right is right,” Poe says plainly.

“And what, exactly, does that mean?”

“Just what I said. Right is right. Can’t see no reason that man should die for something I done.”

“Just to be certain, when you say ‘that man’ you’re referring to Karl Dutton.”



“Who?”

“Karl Dutton,” Pratt says, clearly bemused. “The man whose wife you claim to have killed.”

“Yeah. Dutton.”

“You don’t seem certain of his name.”

“”No that’s the guy. Dutton. I know his face, his name don’t mean much to me.”

“I see. So you knew his name at the time of the killing?”

“Yeah, sure.”

“But it’s slipped your mind in the years since.”

“Look, that’s the guys whose wife I killed, alright. I’m certain of it. I knew he was loaded. I didn’t really care much beyond that. I staked out the place for weeks before I made my move.”

“Made your move?”

“Yeah. Made my move. I went there to rob him, the rest was just icing on the cake.”

Pratt bites his lip and allows the boast to go unchecked. The subtlety in his choice of words is worthy of review. “You say you went there to rob him not her. Is that correct?”

“Him, her, what difference does it make?”

“Quite a bit actually. Were you aware that Virginia Crowley and Karl Dutton were no longer married at the time you killed her?” Poe shrugs. “And that the two no longer lived at the same residence?”

“Whatever. Didn’t know, didn’t care. I was there for the goods. Who was banging who made no difference to me.” Poe gets a kick out of his response. He looks to the glass with a proud grin.

“So you were after their belongings.”

“Just like I said. You’re catching on, counselor.”

Pratt looks at his notes. “Then can you explain why police stated that the residence had been ransacked but there was no evidence of missing items?”

Poe’s cocky grin vanishes. A light blush fills his cheeks. “Things didn’t go as planned, that’s all.”

“Explain what that means.”

“Exactly what you think it means,” he spits out. “Bitch got in the way, tried to stop me, next thing I know she’s dead. Figured at that point it might be wise to get the hell outta there.”

“So she died for nothing?”

Poe doesn't dignify the question with a response.

The question is unnecessary and argumentative and Pratt knows it. I tense a bit and mumble under my breath. “Let it go, Marty.”

Poe looks toward the doorway and raises his Styrofoam cup. “Can I get some more coffee in here?” Pratt nods to the guard and in less than a minute he enters with a black coffee in a new cup.

Pratt wisely shifts gears. “Here's what I think, Lenny. Can I call you Lenny?”

Lenny takes a long swig then puts the filled cup inside the empty. “Go ahead, it's my name afterall.”

“I think you did what you say you did. You killed Virginia Crowley. Now you want to make things right or take credit or whatever your motivation might be. You see, I can see no logical reason why someone in your circumstance would endure the backlash you've endured from your fellow inmates all for the sake of some lie. Makes no sense to me. So I figure you must be telling the truth.”

“Finally talking to someone with half a brain,” Poe says acerbically.

“I'll take that as a compliment, I guess. Of course, those two wardens behind the glass should get most of the credit.”

Poe rolls his hand from chin to chest in a mock bow. “Thank you, your majesties.”

“However...” Pratt makes a point to drag out the word, “there's not a judge in the state of Texas, or the Supreme Court for that matter, that's going to feel the same without a whole lot of proof.”

“I can't help you there,” Poe grumbles.

“Sure you can. Give me details.” Pratt gives a look of determination with a clenched fist and tight lips. “Tell me things only the killer would know. Give me something to fight with.”

“Ok. Like what?”

“Tell me how it all went down. Step by step.”

“It's been a long time,” he says mockingly.

“Oh I got a hunch you remember every grisly detail. Let me have it. Don't hold back.”

Poe laughs. “You got some kind of pent up issues, counselor?”

“I just like details, that's all. Kind of an occupational hazard.”

“Alright. Where do you want me to start?”

"I don't know, how about with Ms. Crowley. Was she there from the start or did she show up while you were rummaging through her things?"

Poe's tone is intentionally nonchalant, as if killing were as mundane an act as combing his hair. "Not sure really, best I could tell the place was empty when I arrived then all of sudden she's there in front of me."

"That's good. So what happens next?"

"Well I kind of freeze and then she starts yelling and making a big commotion and that's when I start thinking I either got to hurry things up or put an end to the noise."

"So you went after her?"

"No." Poe shakes his head. "Not at first anyways. I figured I'd just take what I could and get out."

It's apparent to Pratt that Poe is intent on dragging out the confession and his momentary freedom as long as possible. "But that's not how it went down," he prods. "What happened that made you go after her?"

"It's her that went after me. Bitch couldn't leave well enough alone. She came right at me. Left me no choice." He shakes his head. "I'll never understand rich folk. Fancy houses, fancy cars, and more loot than they could ever spend—still they can't bear to part with any of it. Greed killed that woman every bit as much as I did."

Pratt jots a few notes. Poe twists his head and does his best to decipher Pratt's scribbles. "Writing a book there, counselor? I'd appreciate a cut of the royalties. Maybe I can spruce up my cell a bit."

"Just getting it all in writing. Don't want to forget anything."

"Maybe you should have brought one of them recorders."

"Some people don't care for them."

"Wouldn't have bothered me none. I got nothing to hide."

"Well good, you're doing great. Continue on."

Poe sighs, drops his hands down into his lap then looks to the two-way glass. "What real difference is this all going to make to those that need to hear it? They all know the bitch was killed. This ain't nothing new."

Pratt nods. "But if we show that you know details from the crime scene...."

"Then I must have done it." Poe rolls his eyes. "I get it. But why don't we make it real simple like. Now as much as I'd like to wallow away the day discussing my past sins, why don't I just tell you what you really want to know?"

I instinctively move closer to the glass in anticipation, though I haven't the foggiest idea where Poe is headed with this. Stark and Kruger look equally as puzzled. Pratt drops his pen and does his best to appear unmoved by the offer. "Ok. And exactly what is it I might really want to know?"

"Oh I don't know, like maybe where I buried the body for starters."

I'm puzzled by his words. Pratt looks over his shoulders with the wide eyes of unexpected revelation. The wardens stare back at him as confused as I find myself—and then it all makes sense, in the very worst way. My words come out softly at first, but then more definitive on a second pass. "He didn't kill Virginia Crowley," I say. The wardens are still a step behind. "He's been lying all along?" Kruger asks sharply. "This is all for naught?"

Stark is flush with shame. He wags his head and speaks without eye contact. "I'm sorry, Del. Truly."

"No," I say. "You were right, Warden. Poe's telling the truth."

They look to me with confusion.

"The truth? How can that be?" Stark asks. "He didn't bury Virginia Crowley. She was thrown off a damn building."

"You're right, he didn't kill Virginia. Leonard Poe killed Dutton's first wife. Her body has never been found."

Pratt folds his notepad and heads toward the door. Poe is bewildered by the sudden lack of interest. "Where are you headed? It's the truth. Every word of it. I killed her and buried her up in Burnet County. Check it out yourself."

Pratt raps on the door and the guard lets him out.

Poe looks to the glass. "What's happening here?"

I'm upset and angry, but more than anything, I'm disappointed and deeply saddened. Warden Kruger's look mirrors my state of mind. We each know the damning reality of this unexpected turnabout.

Leonard Poe was our last chance to save Karl Dutton's life. The last opportunity to run to the governor and the courts with reasonable doubt that Karl Dutton had killed Virginia Crowley. But now? Now we have nothing.

I consider the ramifications with angry indignation. How different might it all have been if Poe had made this confession eight long years ago? How differently might the jurors have perceived Karl Dutton if they hadn't believed he had killed his first wife? The answer is plain as it should be to anyone with an open mind. The outcome would have been far different indeed. Karl Dutton would have

walked free. A true and honest effort would have been made to find Virginia Crowley's real killers. None of that matters now.

No judge or juror will ever admit their bias played a part in their ultimate decision of guilt. Not then and certainly not now. Warden Kruger places one hand on my shoulder and rubs his temples with the other.

"I'll tell him," he says. "You've done what you could."

"I'll do it."

"It was me who foolishly gave him hope. Should be me that lets him down."

It's an offer that has appeal, but I know it's just not right to simply walk away. "We'll do it together," I say.

Kruger gives me a long searching look then squeezes my shoulder. "Ok. Together."

Poe is up and pacing the interrogation room. He looks through the glass with each pass. He's grumbling indiscernibly, clearly muddled by his sudden turnabout in significance. He pounds on the glass then cups his hands to the surface and tries to peer through. "Anyone in there want to know where I buried the bitch? Hello? Anyone?"

Marty Pratt enters the viewing room with a sympathetic look. "Sorry guys. Didn't see that coming." We nod in unison. "I'll tie up the loose ends. I'd imagine there's family out there in need of closure."

My mind goes to Ethan and Nolan. "I can think of a couple," I say.

"There always is." Pratt turns to the door then pivots back and looks to Stark. "I know it doesn't help Karl Dutton in anyway, but I've got an obligation to my office to close the loop on this matter, however cold it might be."

"What do you need from me?"

"I'd like to take your inmate up on his offer. I think it's the right thing to do. Let him show us where to dig, see what we find. I'll get some of the cold case officers to escort him."

"Probably a waste of time."

"Perhaps, but my gut says it isn't."

Stark nods. "I'll fill out the necessary paperwork. The rest I'll leave up to your people. I've had about all of this guy I can take."

"Me too, but I'd like to sit with him a while longer if it's all the same to you."

Kruger nods. "Take all the time you need." The warden turns to me then looks at his wristwatch. "How about we meet at Polunsky in an hour? Let's get this behind us."

"The sooner the better," I say.

## Chapter 41

With Warden Kruger as my guide we forgo the usual visiting area and head directly to death row. It's an ominous cinder block construct where inmates reside side by side in a fifty yard row of eight-by-ten brigs, each hemmed in by three concrete walls with a fourth consisting of vertical iron posts. The air in the unit is damp but warm. What limited light exists amid the pockets of shadows is derived from rusty hanging fixtures with low watt bulbs.

There's an overwhelming feel of death and despair that's inescapable, a dreary finality that could drive even the most stable to wallow in the deep, dark recesses of his mind. I wouldn't last a week.

For Warden Kruger's part, he's unfazed by it all, a seasoned pro with a well-developed mental shield that separates and compartmentalizes the man from the day to day lament of the job.

Karl Dutton is housed in the last cell of this long row, allowing for several of the inmates to announce our arrival as we pass. Karl is undaunted by our existence, no doubt consumed by his own thoughts. He's lying on his cot when we arrive, very much awake. He shows no notice of us until Kruger shoves the key in the lock. The sound of metal on metal echoes down the hall. As he rises a look of despondency transforms into one of anxious expectation, not at all what I had hoped for.

The warden settles on a small metal chair while I remain standing. Dutton looks at Kruger, then me, then back again, searching for some sign of hope.

My disposition is unsettled and I know that Warden Kruger is the better man to relay the distressing news. He rises, pulls his seat closer to Dutton, then reaches out and clutches his hands. He says nothing for a long moment, a silence that speaks volumes. Then he utters the cold hard truth without sugar-coating. "Poe didn't give us what we had hoped for, Karl. I'm sorry."

Karl studies Kruger then looks to me. "He was lying all along?"

"There's more..." I speak but my voice is weak. I nod toward Kruger and Karl re-directs his attention. "More what? What did he tell you, Del?"

"He told us that he buried your wife He's willing to show us where."

"Buried?" Karl considers for a moment then pieces it together. His voice comes out in little more than a mumble. "He killed Charlotte?"

Kruger nods. "That's what it looks like."

Karl releases a long deep breath. He pulls his hands from Kruger's grip and rubs them together. "I can't believe it. After all this time and now just days before..." he stops mid-sentence. "Did he say what he did to her?" he asks with trepidation.

Kruger knows exactly what he's hinting at, he allays his concern, "She died in the house. It all happened quickly. A botched robbery. Nothing more."

Karl shakes his head, exhibiting a modicum of relief in the knowledge. He looks to me. "It's important that Ethan knows what became of his mother. Will you tell him for me, Will?"

"Of course I will."

"Thank you, Will." He looks to Kruger. "Funny how this place can change a man, isn't it?"

"How's that, Karl?" Kruger asks with a pleasant smile.

"In here I've finally become the kind of man Charlotte wanted, the kind that she deserved."

"We all fall short..."

"Some more than others. I was a miserable husband to that woman. The worst kind."

"There's no sense in reliving it, Karl. Shall we offer a prayer for her soul?"

"No need," Karl says with a satisfied smile. "She's been singing with the angels for years now."

"Amen to that."

There's a long silence between us before Karl utters the words that neither Warden Rhett Kruger nor I have the heart to address. "So it's over now," he says solemnly.

"We're fighting until the end," I say.

"I know you are, Will. And I thank you for that."

"We've filed two dozen motions with plenty more to come."

"That's good." His tone is placating.

There is so much more I'd like to tell him, the success of the rally at the Capitol, the unexpected but welcome suspicions of the Assistant DA, and most of all the murder of Curtis Crowley—a death with an unmistakable but not provable connection to the death of Virginia Crowley. It's all quite compelling, but none of it would restore his hope. Instead I say the words all investigators most dread, words I've seldom had to utter. "I'm sorry, Karl. I'm really sorry. I thought for certain I could piece it all together in time, I just..."

"Just ran out of time," Karl interrupts. "You had so little of it, Will. That's on me. Me and me alone. A man without a troubled past would have contacted you years ago...so that's on me, Will. Me and my past. Nobody could expect to change the course of fate in four weeks' time. Nobody. Don't you waste a minute's sleep on this. Not a minute, you understand me?"



I nod, but I know I will. That's what I do. Unlike Kruger, I don't compartmentalize well. I ponder, deliberate, and scrutinize until my head throbs and then I start all over again.

"Will you be here at the end?" he asks me somberly.

"If that's what you want."

He nods.

"Ok." It's an awkward and surreal exchange that doesn't get easier with repetition. This is my fourth. It's the same each time. Question asked and answered with the same nonchalant tone as one uses to book a dinner reservation. But how else does one go about making plans for an execution? There's no precedence, no common reference to draw on. Each simply stays decidedly strong for the sake of the other.

Kruger lifts his arm and motions me forward. I move close and crouch down beside both men. We instinctively bow our heads. I close my eyes as the warden begins a long and soothing prayer of redemption and hope.

Karl places his arm around my shoulder and draws me close enough that our bowed heads come together. We remain in place long after the prayer is through, then slowly separate.

There's a feigned smile on Karl's face, meant to ease the moment. It's appreciated but ineffective. The warden and I step into the hallway and he seals the cage door behind us.

I utter the most absurd words possible before walking away. "Take care. I'll see you soon." I shake my head with an embarrassed blush and then I go.

Warden Kruger and I spend a few moments discussing the day's events and the unbendable events of the coming week. We don't talk long. There isn't much left to be said and I have a long drive ahead of me. I throw my things in the back seat of my car and put the key in the ignition but I'm not quite ready to leave.

Something holds me back. I sit staring at the plain white brick of the Polunsky Unit, blurred by the mirage of heat created by the mid-day sun against the asphalt. There's a whirlwind of emotions bouncing through my head. None resembles anything close to closure.

My mind settles on a renewed scrutiny of the rampant reversal in sentiment I have toward the very man that led my parents to an early grave. The man I loathed justifiably for so many years. The very same man I now grieve over.

For a moment I feel the role of traitor. The moment passes quickly, replaced by a beautiful and timely memory of those that molded me into the man I've become. And I know in that instant that I've done right—I've forgiven, the greatest gift for both the sinner and the scorned. I know now that there's something that remains to be said.

I'm out of the car and headed back in. I'm whisked through security and asked if I'd like for the warden to be paged.

I decline the offer and request to meet with my client alone. The guard places a call, mumbles a few indiscernible words then hangs up. "Follow me."

We head down the long familiar hallway, through the series of steel doors and into the vacant visiting area. I take a seat in the usual booth and await Karl's arrival. It doesn't take long. He enters the room with a look of uncertainty. I make sure to give a look of indifference that's void of hope. We bring the phone to our ears.

"What's up, Will?"

"There's something I need to say. Something I feel is important for both of us."

"I'm not going anywhere."

We both smile lightly.

"Four weeks ago I considered you a sworn enemy. A man that deserved what was coming to him. A man I could hardly bear to look at."

Karl crimps his lips and nods. "It was well deserved, Will."

I wave this off. "That changed, Karl. You changed and perhaps you changed me as well." I raise my hand and press my palm against the glass. He instinctively raises his and presses it against mine. His eyes are glossy and his chin quivers. "I forgive you, Karl."

He swallows hard and utters, "Thank you, Will. You have no idea..."

"I think I do."

Karl sets the phone down in front of him and rubs his eyes. When he looks up again, it's a face of renewed strength. "Sorrow alone for one's actions is hollow proof of true contrition. When one is able, he must do all within his means to make his victims whole."

I consider his words as personal cleansing, spoken with no real path. But I'm wrong.

"I've made arrangements with Ethan through Warden Kruger to return your parents money to its rightful heir. Sad as it might sound, I have no means of knowing how much that might be, so I've directed Ethan to determine the amount through court records—and then round up generously."

I don't know how to respond.

"It's your money, Will. I know you'll make better use of it than I ever did."

I'm taken off guard. Never once have I considered that the money still remained. In hindsight I should have known that all along. Money is money, no matter how it's laundered. And it's a considerable amount, far more than Lacey and I have accrued in our savings—much more.

"You're a good man. Karl," I say sheepishly. I fight back a smile.

"Hope my maker feels the same," he says with a gentle smile.

"I think you're going to be OK. I only wish I could have delayed the meeting by a couple decades."

He snorts. "That was my so-called powerful defense teams' job," he says with only mild derision. "That didn't work out so well." There's a look of hard-earned acceptance in Karl's eyes and in his tone. Time for regret is behind him.

In the legal world there are questions labeled argumentative and better left unasked. They're questions that serve no real purpose other than the intentional stirring of anger and regret. I pride myself in taking the high road in such matters most of the time. But Karl has created a segue too enticing to pass up. "You were a man of means, Karl. Surely you had ample attorneys at your disposal."

He confirms this with a nod.

"So how does Jonathan Moore entice you to choose his firm over more familiar counsel?"

"Being rich doesn't make you money foolish, Will. Quite the contrary."

"I don't follow. You spent millions on your defense."

Karl tilts his head with a look of confusion. "What are you talking about?"

"Your billable hours single-handedly saved the firm from financial ruin."

"And you heard this from whom?" he asks with an exaggerated squint of the eyes.

"Both David Moore and Richard Halston," I say. "Jonathan and Richard made an ill-advised land investment that stood to cost them everything. As Richard tells it, their once successful firm would have closed up shop if you hadn't come along."

"What are you saying, Will?"

"Your money saved them from financial ruin."

"My money?" He slaps his chest with both hands. "My money saved them?"

"Why is that so hard to believe?" I ask.

"Because it isn't true. Moore, Halston, and Moore took my case pro bono. I never spent a dime."

The confusion is now mine. “But they had an insurmountable cash flow problem. If not for you, they would have never survived.”

“They did survive, but it sure as hell wasn’t because of me.”

“You’re telling me you didn’t pay them a thing?”

“Nothing.”

“But this case saved them. David and Richard told me themselves. The millions it brought them put them back in the black.” My own words give me a much needed jolt. In an instant it’s all perfectly clear. “My God, I was right. I was right, Karl, right all along. I’ve just been chasing the wrong players.”

“What are you saying, Will?”

“David Moore wasn’t in cahoots with Elizabeth and Curtis. It was Jonathan Moore all along.” I consider the involvement of Richard Halston, or lack thereof. Now it makes perfect sense. “Jonathan split the inheritance with Elizabeth and Curtis. His part in the plan was to trip up your defense at every turn. That’s why he didn’t involve Richard in the trial. Richard was too good. He used David instead, expecting him to fail. When David’s attack on Curtis and Elizabeth showed promise, Jonathan steered the jurors in a completely different direction. He made a strong case for suicide. According to court records the accusations against the Crowley’s were never again brought up.”

Karl is at the edge of his seat. “How do we prove it, Will?”

“Halston had no idea what Jonathan was up to,” I mumble under my breath.

“Will?”

I continue rambling aloud, piecing it all together. “This is why Jonathan never approached the Defender Group. Why didn’t I see that?”

“Talk to me, Will.”

I consider a more glaring truth, a ruse that made all the difference in the trial. “There never were any hidden offshore funds, were there?”

“Like I’ve said from the start—not a dime. Every penny I had was accounted for in the divorce hearings.”

“And that’s why Jonathan stalls every time I ask for proof.”

“How do we prove it, Will?” Karl’s voice is pleading.

“I move quickly. Once I show the firm’s ill-gotten funds, the governor will have no choice but to act.” My head is reeling with considerations, the most chilling hits me like a freight train. “Curtis Crowley. It was Jonathan who killed Curtis Crowley.”

“Curtis? Curtis is dead?”

I nod. “He was killed just hours before I was scheduled to speak with him. Jonathan knew I was headed to see him. I wanted to hear firsthand why Curtis had made accusations against Elizabeth in the weeks following the trial.” Jonathan’s response returns to me with resounding clarity. “Jonathan told me I was wasting my time. If there was any truth to his allegation, he was sure they had synced their stories long ago. He feared that Curtis would cave. He couldn’t let that happen.”

“I can’t believe this is the same man I was dealing with.”

“I feel the same way every time. There’s evil in plain sight, we just refuse to believe it.” I push my chair back and rise, the phone still in my hand. “We’re not done yet, Karl.”

“Go get ’em, Will.”

## Chapter 42

I speed west on TX-30 with a renewed vigor I can barely contain. I follow my standard M.O. with a call to Lacey for her clear headed perspective. The enthusiasm in my voice is plain to hear.

“Slow down, honey,” she says. “You’re going to run off the road.

I lay out my newfound summation for her review and wait to have my bubble burst.No such response comes. Instead she offers one simple question. “There isn’t much time. Tell me how I can help?” And with that, any doubt I have is washed away.

Jonathan Moore is guilty of two homicides. As of thirty minutes ago, he was all but guaranteed to get away with both of them.

My next call is to Ethan.After nearly thirteen years of unanswered questions, Ethan is about to learn who killed his mother. I rehearse my approach a few times before dialing but it’s all for naught. I’m sent to voicemail where I leave a generic message and ask him to call me when he’s able.

My third, but most important call is to the office of the Defender Group where Hillary and her team are still busy writing and filing motions. There’s a jump in her voice when she hears it’s me. “What did you find out? Is this Poe for real?”

I unload everything in the order it occurred, first with the disheartening revelation that Poe is not our golden goose.Then I quickly move past it to Dutton’s claim that his defense was working for free. I finish with the accusation that Jonathan killed Curtis Crowley.

Hillary is stunned by it all. She pieces together the relevance of the pro bono without need of my input.

“So we were checking out the finances of the wrong Moore.”

“So it seems.”

“Do you think David was in on it at all?”

“I think he knows of it, but only after the fact.”

“How about Halston?”

“I’m quite sure he’s clean,” I say.

“Crazy, isn’t it? So overcome by greed that they’re willing to risk it all to obtain something illegally that would legally be theirs in the long run?”

“What’s left of it anyway,” I say. “According to Karl Dutton, Virginia spent money like a sheik. I suppose they feared she’d spend it all if she lived long enough.”

“And for the firm, the timeline was much shorter.”

“Exactly. The firm was going under without a quick injection of cash.”

“So where do we go from here?”

“Any chance your guys can track the flow of money from the Crowley’s to Jonathan Moore?” I ask.

“That’s a bit more complicated than David’s finances. Jonathan wasn’t using the cash to accrue assets.”

“Ok. How about showing that Curtis and Elizabeth deposited only two-thirds of the total disbursement of the will?”

“It’s possible, but that doesn’t prove where the remainder went.”

“Right.”

“How about Halston? Any chance he’ll turn on his partner given this new find?” Hillary asks.

“Maybe. But there may be too much history there to convince him his longtime friend is a two-time killer. Our best chance resides with David.”

“Not if he’s complicit to the crime. Why would he?”

“Spite,” I say confidently. “As it turns out David Moore and Curtis Crowley were partners.”

“Partners?”

“Yeah...partners.”

“Oh, you mean...”

“Yeah. Seeing that his father just killed his other half, he may just be willing to see him burn.”

Hillary huffs. “It’s enough to make your head spin.”

“Well, don’t let it spin out of control just yet. You’re too valuable to lose.”

“Just point me in the right direction.”

“Get the word out that Dutton was not his first wife’s killer. We both know that played heavily in the trial. Let’s rev up some public sentiment for the man this time, not just the cause. You take the social media approach and I’ll contact the local media. But first let your buddy Howell DuPont know what Poe told us. Maybe he’ll slip it into dinner conversation with the governor.”

“Wilson would never admit that one crime influenced the outcome of the other.”

“Maybe not publicly, but once we show considerable doubt that Dutton was involved in either death, even the governor can’t ignore that.”

“Or maybe we go right to the lead story. How about we let our suspicions about Jonathan Moore slip out?”

“Too risky.”

“Let me worry about that.”

Hillary and I confirm our individual marching orders and add a promise to be available to each other at all times.

I hang up and immediately place a call to my favorite contacts at the Statesman and the local networks. Poe’s confession is a hit but journalistic integrity forbids each from presenting the story as anything more than what it is—an unsubstantiated confession. Good fodder but back page news at best. If I’m real lucky, I’ll be granted one or two lines in the final minutes of the evening news.

I catch Marty Pratt on his cell just as he’s leaving Polunsky. I thank him again for his involvement, for which he accepts no praise. He states humbly that he was there in an official capacity, an attempt to right a wrong. He tells me that although our findings were unexpected, and perhaps disappointing, there’s a new angle that needs to be given its proper due and followed to its proper end.

He’s telling me all I hoped to hear. He’s already made plans with Warden Stark to utilize Leonard Poe in the search Charlotte Dutton’s remains. I make an unnecessary plea for urgency. I explain my belief that Karl Dutton was Charlotte’s assumed killer. That truth that laid heavy over the trial and certainly in the minds of the jurors. I’m telling Marty Pratt nothing he doesn’t already know, until my next point.

With some hesitance, I tell him Moore, Halston, and Moore had handled the case pro bono and I explain the significance. I talk of Karaway Holdings and the firm’s insolvency, a detail I know from his silence that he’s hearing for the very first time.

For Marty Pratt it’s the long-awaited explanation of why the firm took such an unorthodox and confusing approach to Karl’s defense.

It’s the reason Karl Dutton’s ill-advised decision to exit the Austonian Tower directly into the bloody melee on the sidewalk was never presented at trial. He absorbs every detail with what can best be explained as studious silence. I’m confident I have a solid ally in my fight, until I tender a request. It’s a request I know will be outside of his comfort zone and one, I’m sure, his superior is sure to slap down without hesitation.

I ask him to meet with Governor Wilson, to share his feelings of doubt and injustice. To this, he’s not so gung ho. He explains that such an admission of error would damage the office’s ability to enact justice where it’s truly due. A reversal of opinion from the very office that put Karl Dutton



behind bars would lessen the credibility of all prior convictions. The ensuing onslaught of unwarranted appeals would overwhelm the courts. He suggests I handle such a conversation myself. It was worth a try.

I hang up, turn up the radio and slap a beat on the steering wheel for the next hundred miles, contemplating my every move for the next few days.

I'm just a mile or two from home when Ethan's number appears on my cell. I can hardly wait to hear his reaction to the news of his mother's killer. But I don't get the chance to speak.

"Markovic has been sighted," he says. I accept this as encouraging but the tone in Ethan's voice is anything but. "We have new intel that we're taking with the utmost seriousness."

"So he wasn't caught," I say.

He continues, "Coast guard officials pulled a young shipmate from the open waters of the Adriatic Sea. He'd been left for dead, but somehow survived. He's told authorities he was certain he'd been dealing with Brajko Markovic. He explains that Markovic gained entry to the ship by posing as a seasoned ship mate. Once they reached open waters Markovic killed the captain and took control of the craft. In a struggle he overwhelmed the boy, cut him and forced him overboard to die."

Vintage barbaric actions of a madman. "It's safe to say he made a proper ID," I say.

"We agree."

"Does he know the direction he was headed?"

"Due west is the only logical route. That puts him somewhere along the Italian shoreline."

"So Italy becomes our new Croatia. We contact all authorities to be on high alert. What do we know of airstrips?"

"I'm afraid it's not that simple, Will."

"Of course it is. You kept him penned in for weeks this way. Surely you've contacted authorities."

"We continue to make calls, even as we speak. But we don't believe he's still in Italy."

"How can you make such an assumption? What's that based on?" There's urgency in my voice I can't contain.

"The young man's name is Pravdomir Gabric. He was picked out of the sea no more than two hours ago."

"So Markovic is still on the water?"

“Will, it’s not that simple.” There’s an uneasiness to his tone. “Pravdomir was afloat in the waters of the Adriatic Sea for three full days. Brajko Markovic can be anywhere by now.”

I feel as if I’ve been throttled by a cattle prod. Every hair on my body stands on end and my palms are instantly moist against the wheel.

“It’s a setback, Will, but we’re taking all necessary actions.”

“Has anyone notified my wife?”

“We’ve contacted Hector and two more are en route to your home.”

“And when will that be?”

“Some time, I’m afraid. All remaining resources are south of the Laredo border.”

I turn into my neighborhood with my power of observation on high alert. Every passerby, open window and parked car receives heightened review. “What do we know about international flight schedules?”

“Given a day or two he could connect to virtually any major domestic airport. We’ve made contact with Dallas, Houston, San Antonio, and of course Austin, though my gut says he wouldn’t be so obvious.”

“Any direct flights?”

“New York, Chicago and LAX.”

“See if any have a report of a stolen car over the past few days,” I say.

Ethan barks orders to the others around him.

“Text me with whatever you find,” I say. “Continue to do all you can do and keep me abreast. I need to speak with my wife now.” I hang up abruptly and dial but I go directly to voicemail. I roll to the curb and send Lacey a text. Two minutes pass without a response.

I pull away from the curb and slowly drive past my house, searching for anything amiss. All appears well.

I continue on and turn onto the adjoining street seeking clues of Markovic’s arrival. Children are playing, dogs are barking, cars are passing by, and the elderly are on porches quietly observing it all.

I make note of every parked car, the color, the make and especially the tag. I see one from New Hampshire, two from Oklahoma and one from California. The latter means the most to me. A black Lexus GS 350 sedan.

*Could it be him?*

I call 311 and spend several minutes describing my concern as that of a prowler on the premises. I stop short of giving my name. My plea is less than convincing given the uncertainty of my predicament and my own possible over-reaction.

I'm told half-heartedly that a patrol car will be sent to the area, but they promise nothing more than a drive by.

I'm feeling quite certain that the call was unnecessary. The vibration of my phone confirms this position—a welcome text.

*'Hi, babe. When will you be home?'*

"Lacey," I mumble, sighing a breath of relief. I text back. *'Real soon'*.

She's quick to respond. *'See you soon.'* I toss the phone back on the passenger seat and head toward the house. I park in the drive and exit briskly, eager to be beside Lacey and the kids.

I receive yet another text before I make it to the door. This time it's Ethan.

*'Five stolen vehicles.'* Ethan lists each and the airport where the larceny occurred. Four mean nothing to me. The fifth changes everything: Los Angeles (LAX) Lexus GS350...*black in color.*

I move quickly to the door, my gun in my grip. I reach deep in my pocket and slowly produce my key. I'm off to the side the door outside of view from the two narrow vertical windows.

I push the key in the lock and turn the handle as quietly as I'm able; the rusted hinge does nothing to conceal my arrival.

The entryway contains a small hallway no more than two full strides, the study is on the left and a half-bath to the right. I press against the right wall with my gun held in front of me commando style, then move abruptly to the door of the study in a low crouch prepared to fire. Nothing.

A quick retreat up against the wall and a final stride inward reveals my deepest fear.

Hector lies lifeless on the floor, just to the right of the opening. He's face down with a small puddle of blood beside his torso.

The silence is broken by a familiar and haunting laugh.

I spin into the room and point my gun directly at Brajko Markovic—but he's not alone.

Lacey, Michael and Ellie are beside him, all seated, gagged and bound to three high-back dining chairs.

A bookshelf lies on its side behind them with the books scattered about. Two wooden coffee tables frame either side. Tears stream down my Ellie's face and though I know how badly Michael is fighting to be strong, his appearance is much the same.

Lacey and Michael are bound to each other. Zip-ties hold their legs tightly to the leg of their chairs; their arms are pulled tightly behind them and ostensibly strapped in a like manner. Each chair is bound to the next by both the legs and the seat back. Duct tape is wrapped tightly around their heads and across their mouths. Ellie is too small to bind in the same manner. She's sitting Indian-style with her hands and ankles zip-tied together. The duct tape around the head is the only similarity.

Markovic has pressed a gun to the side of Lacey's head.

"You've kept us waiting, Will. You know how much that angers me."

I look at Hector for a sign of life then nudge him with my foot. There's no response.

"Don't be too hard on him. I was so itching to shoot someone. I just had to get it out of my system. I allowed him to choose the target. He was quite brave."

I consider unloading on him but the distance between us promises no assurance that Lacey wouldn't be taken down in an instantaneous reaction.

Markovic takes the precaution against such a prospect by cocking the barrel. A hair-trigger reaction alone could seal her fate.

"You made a clean escape. Why bother with me?"

"Because you're such a challenge, Will. You know how I feel about such matters."

"You feel I outsmarted you," I say. It's a risky boast, but if my history with this madman stands true, I'm quite certain he won't end this occasion with a quick kill. He intends to draw this out to extract maximum fear. He previously described his position in such matters with a calm perversity that remains with me as if spoken just days ago. *Revenge without suffering is no revenge at all.*

There's a small twitch in his lip and the slightest arch of his brow. I've struck his most sensitive chord. "Drop the gun or I cover your children with their mother's brains."

"And what's to stop you if I do?"

"Put it down," he says firmly.

I look to Michael and Ellie. "Everything is going to be alright. Close your eyes, both of you. This will all be over soon enough." Ellie closes hers but Michael doesn't budge. I know he won't.

I lower my gun then slowly place it on the ground. "It's me you want. Leave them out of this."

"Oh, more of that Cowboy bravado shit I've missed so much. Sorry, Will, you know I don't work that way. Everyone must die. This is payback in grand fashion. Now kick the gun into the corner." He tilts in the desired direction. "That's it, right next to your wife's shiny weaponry."

I kick my gun to the corner. "There's nothing to pay back. You did what you had to do and I did the same. Fair gamesmanship as I see it." I play to his thrill of the pursuit.

“Is that right? Fair gamesmanship?” he asks with a sinister grin. “I suppose you’re right, Will. You pounced when you saw an opportunity.”

“I saved innocent lives.”

Markovic barks back, “And I take them!”

His heightened volume brings stronger tears from Ellie. “Think happy thoughts, baby,” I say with an uneasy voice. “It will all be over soon.”

“Indeed it will. But not in the manner you might hope.”

In my peripheral, I see movement from Hector. I don’t dare make Markovic aware by diverting my eyes in his direction, but soon movement becomes noise. Hector groans loudly and expels a powerful breath of air.

“Feisty bastard.” Markovic fires into the side of his back without hesitation. All motion and sound cease. “That’s better.”

“I don’t understand you.”

“And you never will. I believe my doctors referred to me as complex. Wired a bit differently than the common man. Men like you, Will. A simple common oaf that got lucky at the best of times.”

“Fine. I got lucky. I foiled your plans with dumb luck. I admit it. You’re the better man.” I’m trying to be strong but there’s pleading and desperation in my voice. I see he’s enjoying every hitch in my cadence. “You’re the genius, Brajko.” Such mockery would cause anger in most, but Markovic appears to revel in the contrived tribute.

“Well thank you, Will. Truly. As a token of my appreciation I’m going to allow you ample time to say your good-byes to your beloved family.”

I have no idea what this means, but I’m certain it’s not good.

The tape in Ellie’s mouth is doing little to muffle her screams. Michael is sobbing now, his heavy tears mixing with his draining sinuses. Lacey’s eyes burn a hole through me. She pivoting side to side as far as the restraints and her captor will allow. Markovic pushes the gun harder against her head. “Sit straight, bitch.”

Lacey tilts her head ever so slightly toward Markovic and I know in my heart what she’s trying to tell me. My brave, brave, Lacey wants me to sacrifice her for the sake of the children. She wants me to attack Markovic at her peril, certain he can’t kill us both. She’s most certainly correct in her assumption, but deadly wrong in the belief that I would even consider such a choice.

I’m at a loss, uncertain how to proceed.

Hector is almost assuredly dead and I'm unarmed. "Take me into another room. Away from my family. Do what you came here for."

Markovic pulls the gun from Lacey's head and drops his arm to his side. "Then let's get started, shall we?"

I begin to walk toward the hallway but Markovic stops me. "My way. Not yours." He moves a fourth chair in front of the other three. "Please, Will, have a seat."

I sit down slowly, facing my family, close enough that our legs are touching, an intimacy that I know is not unplanned. Markovic honors a precise and measured set of steps in all of his endeavors. He reaches behind Lacey and produces more zip-ties. He tosses two toward me. "Secure your legs to the chair," he barks.

I obey his command.

He approaches me and orders me to put my hands behind my back then secures them tightly. He spares me the duct tape if only to hear my screams for what is sure to come next. He backs toward the doorway, his aim held steady on Lacey, then slides open the glass and reaches outside. He produces a large red gas container and a steel bucket. His plans are now quite clear, the bucket notwithstanding.

This is beneath you." My voice is filled with urgency. "There's nothing clever at all about this sort of death." My voice trails off with the last word, knowing the effect it's to have on Michael and Ellie.

I receive a smile for my attempt. He sets the bucket down beside me and begins to fill it with gas. Once complete he begins to pour gas onto the bookshelf, the coffee tables and the strewn books. The gas puddles on the wood surfaces and drips into the thick carpet. Satisfied with his efforts, he uses what remains in the container to douse the couch, the love seats, with a final liberal splash on Hector. I'm squirming, trying desperately to break free, but my efforts achieve nothing more than driving the plastic ties deeper into my wrists.

Markovic's reaction to my struggles provides clarification of the steel bucket's role. He hoists it and sets it carefully on the front of my lap, half hanging over my knees. "That should keep you steady."

Any movement is certain to spill the lion's share of the gas directly onto Michael with a sufficient amount adequately wetting Ellie and Lacey. There's nothing at all I can do to stop it. "How's that for clever, Will? Satisfied now?"

I restrain comment for the sake of my children, but my look speaks volumes.

Markovic pulls a box of wood matches from his front pocket. "Let's count who I've outsmarted to reach this cherished moment, Will." He raises a finger at a time as he lists his victories. "The Croatian border patrol, DC's finest, the entirety of your honored US Marshals, a hapless band of

hired renegades, and of course you. The great Will Hogarth. National hero. I guess they had you wrong all along. I win, Hogarth. I always win.”

“You’ll burn in hell.”

“Perhaps. But you’ll burn first.” He strikes a match and throws it onto the couch for effect. The flame is immediate and intense. “Ooh that’s warm, isn’t it?” he says with a twisted smile, his face aglow from the flame. He strikes another and tosses it toward Hector. It fizzles out and lands beside him. A rare miscue. “Oh well, why waste another match on the deceased. Let’s get started, shall we?”

He strikes a third and drops it onto the carpet, it follows the soaked path and ignites the bookshelf and tables in unison. A few books catch fire while others are spurned on by spitting sparks from the larger flames.

The heat is beyond anything I have ever experienced. I can only wonder how overwhelming it must be to my children. The flames quickly rise to the ceiling and blossom outward like a geyser. There’s a sound to fire like none other, a horrific mix of whirling air and crackling sparks, like a constant fog horn in high wind, a thunderous and extremely frightening roar.

We each instinctively struggle to break our unrelenting bonds, anything to separate us from this unbearable heat. I hold the only real chance of success—and I’m failing miserably.

From beyond the flame Markovic is little more than a dark shadow. He’s endured the heat in exchange for a view of his work, but not for long. He shouts his final words and races off. “Burn, baby, burn.”

Lacey rocks forward and backward with Michael following her lead. His legs hit my chair with every forward motion. The bucket is shaking from impact.

“Stop. Stop rocking. The bucket!” I yell above the noise.

Ellie’s head bobs forward. The smoke is too much for her little lungs. We’re losing her quickly.

Lacey and Michael have stopped rocking but the bookshelf has not. It comes crashing down onto the backs of their chairs and flames shoot over their heads. I’m yelling at the top of my lungs, screaming. My words are nonsense, nothing but the indiscernible screams of a man watching his family die in front of him.

Lacey and Michael lean forward as far as their restraints will allow, enough to escape the direct flame but not enough to escape the unbearable heat. They’re hacking and trying desperately to take in air.

Ellie is completely still. Will she be the first to go?

My God. My family is dying and I’m doing nothing. My lungs are filled with smoke and my head is spinning. And then the dark image returns.

Markovic's black silhouette has returned from beyond the flames. I curse him with all I have left, but I hear no cackle of delight. The dark image moves to the left then right as if considering a next move—then plunges into the flame.

My eyes are wet and my vision blurred, but I see a long blade come through the wall of flames. He moves right toward Lacey. I yell and do all I can to rise from my chair.

The blade comes down beside her and I see one leg come free and then the next. He's beside me but the smoke is too thick to see his every move. He continues to cut and slice and then it happens. Lacey rises from her chair. He turns to me and begins to cut my ties.

"Hector?" I say. He cuts me free.

"Help me carry the others out of here." He shouts.

I kick my chair away and pick up Ellie, chair and all. All three chairs remain together. Hector and Lacey grab the other end and plow through the flames toward the doorwall. Markovic left the glass open to allow air for the flames to feed on, but the opening is unclear in the thickening smoke.

We slam against the wall once, and then again. A third time we find the opening and move through it with unguarded restraint.

Lacey tumbles to the ground by the force of my push and Hector and I collide and fall together. Graceless—but effectively. We're outside. Out of the pit of hell.

I focus my attention on Ellie as Hector cuts her restraints. She's still, but there's a pulse, however faint. I put her over my shoulder and pat firmly on her back. She releases a wet and productive gurgle. It's the most beautiful sound I've ever heard.

Hector cuts Michael's ties with his last bit of life, then falls unconscious to the ground. Lacey is on him immediately. Michael is coughing but standing upright and looking little worse for wear.

In the distance I hear the faint and welcome sound of a siren. A crowd is gathering and coming to our assistance. A man moves quickly toward Hector.

"I'm a doctor," he says. Lacey backs away and allows him to take control. She moves to me and takes Ellie from my shoulder. Then she utters the most direct command I've ever heard cross her lips.

"Get that son-of-a-bitch!" Her teeth are clenched in rage. She holds Ellie with one arm and points in no particular direction with the other. I back up slowly. "Go! Don't let him get away."

I'm off and running and I know exactly where I'm headed. I'm in my car pulling down the drive in a minute that's forever lost in time. I race away with a squeal, headed toward the Lexus. I reach down and pat my spare glock, strapped beneath my seat for assurance.



There's no telling how much time has passed since Markovic set my family aflame. It seems like an eternity but I'm keenly aware that it was less than a few minutes. If I'm right about the Lexus with the California plates, I know he had about a quarter-mile retreat on foot.

I take a quick series of turns only to be dismayed. The car is gone. I roll to a stop considering my next move, certain that my theory about the Lexus is spot on.

The neighborhood has several exits and entrances, but one is much nearer to the highway than the others. Certain Markovic has every last detail planned out, I head in that direction. I'm moving fast but cautiously and I am quick to move to the curb for an incoming ambulance and two patrol cars.

"Godspeed," I whisper. Hector took his final shot five minutes ago. There's no saying when or how many shots he took before my arrival. One thing is certain, his life clock is wearing thin. I slam my hand on the wheel in anger. My adrenalin is at peak capacity.

Three turns spaced out over two miles puts me on the frontage road the Mopac Expressway—and there I see him—driving without a care in the world, even putting on his turn signal as he changes lanes. Oh what a surprise I'm going to be.

I slam on the gas and my six year old sedan gives me all it's got. I reach down and pull my glock from its strap and place it between my legs. I know in this moment I'm not above shooting him in the back of the head. My heart races and I'm gaining on him rapidly—too rapidly. He notices my approach. I'm close enough to see his beady grey eyes in the rearview mirror.

For once they don't look so self-assured. His focus altered, he misses the highway entrance and instinctively picks up speed. There's a traffic light within view and cars are lined up. He gives one quick glance over his shoulder then whips the car violently to the right, back into the southern end of Tarrytown. With a slam of the brakes and a jolt of the wheel I barely negotiate the turn, riding the curb as I cross onto the adjoining street.

Markovic is operating the more maneuverable vehicle, but I'm still on his tail and my knowledge of the streets gives me a slight edge. Or so I first think. Markovic doesn't share my concern for the safety of those in the area. He moves at an unthinkable speed through the narrow, sidewalk-lined streets of this bedroom town, hell bent on putting distance between us. It's the first time since meeting this madman that I've assumed the role of attacker. And it feels good.

I keep my speed under control, well aware that the street comes to an abrupt T in less than a quarter mile. I can only guess, and hope, that he'll proceed southbound from there. The northbound path is a perilous trek of twists and turns that will play to his vehicle's dominance.

He covers the remaining distance in little time and does as I hope. He whips a hard left and fish-tails a complete one-eighty before correcting and speeding off with a smoky burn of the tires. The less than graceful turn allows me to gain ground. I'm around the corner and quickly within firing distance.

I stick my arm out and point my gun at his back window. I'll get two shots, maybe three, at the back of his head before we reach the river. It's against all I believe in, but it feels so right.

I take aim but Markovic is on to me and swerves right and left. We're closing in on the river but I'm certain I'm the only party aware of its existence.

The road we're on sits higher than the passing water by twenty feet or more making it indiscernible from our vantage point. It takes a sharp left before the embankment then follows the shoreline for a mile or two before once again reaching the highway.

There's a standard rectangular road sign at the apex of the curve with a black arrow on a bright yellow surface. It's impossible to miss, but Markovic's rate of speed suggests he hasn't taken notice.

His attention is on me for the moment. I intend to keep it that way. I'm aware he's armed but the opportunity to fire hasn't presented itself--at least for him. I fire a shot into his back window, intentionally missing his head. I'm well aware that the better part of me altered my shot at the last possible moment. The window absorbs the shot, leaving only a single hole in a spider web of cracks and completely obliterating my view of Markovic. I fire again and the web gives way at the point of impact, opening a hole about the size of a basketball in the center of the window. I can once again see Markovic's eyes in the mirror. They're still trained directly on me.

I realize that Markovic will have to slow down immediately if he hopes to overcome the laws of physics and not plow through the road sign and down the embankment. To my dismay he does just that.

His decision sends me slamming hard into his back end and propelling him forward. I instinctively apply the brakes and just as quickly we're separated again. He accelerates toward the turn and I now know just what I need to do. I race toward him, anticipating his deceleration into the curve. For me, there will be no slow down.

He opens a gap between us and begins his wide turn, exposing his left side for the slightest of moments, just enough for me to alter his path.

I sideswipe him at full speed and for the slightest moment, time slows and Brajko Markovic and I are feet apart looking into each other's eyes. His expression is one of anger, rather than fear. As the Lexus departs from solid ground and begins an uncontrollable roll down the embankment toward the water below, I slam to a stop mere feet before pivoting over the edge and quickly jump out with my gun in hand. I peer down the rocky ridge.

The Lexus and its occupant are submerged with only the tail end remaining above the surface, at least for the moment.

There was a time I left Markovic for dead, but he outsmarted death. I need assurance this time that it won't happen again.

I pull off my shoes and remove my shirt. Without further consideration, I dive headlong into the cool river. I latch onto the back bumper of the Lexus then work my way onto the trunk. The shattered window is still above the waterline allowing me an inside view, but not enough to determine if Markovic has survived the crash. The car is now completely vertical, the weight of my body hastening its plunge downward. I slam my elbow against the window until the fractured glass sags inward and begins to give way, but not yet enough to allow me entry—and there's only seconds before we're completely immersed.

I rise to an unsteady standing position and crash my heel into the window. It takes but one blow before the glass gives way and falls into the interior—with me along for the ride.

I'm standing on the back of the driver's seat with half of my body still outside the window. If Markovic is alive and conscious, I've put myself in a perilous position. Unarmed, I'm entering a small area with a nemesis that may well be anticipating my arrival. I can only believe that the nemesis has been knocked cold by the crash.

I crouch and look over the seat. Markovic is stretched out across both seats with his face pressed against the passenger door. Blood seeps from his ear. From all outward appearances, the man who has relished the terror he's bestowed upon my family for more than six months is finally out of our lives for good.

I'm stuffed into the interior of a sinking vehicle just seconds before oxygen becomes a rare commodity and all I'm feeling is joy--until his eyes open.

Markovic's momentary unconsciousness has done nothing to blur the reality of his situation. He begins immediately to search the floor board. It's eminently clear that only one of us is getting out of this sinking ship alive.

We scramble for the gun but the advantage is his. His weapon has come to rest on the floorboard well within his reach and I'm in no position to retreat. He grabs the gun, cocks it and shoves it inches from my face, but in standard Markovic fashion he doesn't fire without savoring the moment.

His face is beaten and bloody but his smile is calm and sure. I need a miracle to survive. On cue, it arrives. The rear window dips beneath the surface and the full force of the river reigns down upon us. The gun graces my face as our bodies are pressed together by the powerful and unrelenting flow of water.

My fear of being executed is replaced by the dreadfulness of drowning. I have one arm pinned instinctively against the floorboard to keep from being pinned against it, and the other wrapped around Markovic's torso, or so I assume. Visibility is non-existent in the torrent of pounding water until we're completely submerged. The deluge of hammering water gives way to an almost tranquil pool of silence.

But it's a tranquility void of oxygen and there's a psychopath sharing my space who may or may not still be clutching a gun. My chest tightens and pressure rapidly mounts in my ears. The suddenness of our descent and the altered focus a gun to the face provides, precluded any thought of a final deep pull of air.

Markovic is no longer my concern. I have to get out fast or Michael and Ellie will be remembering me from photographs and choppy videos. I push myself back, upward but Markovic is clutching my arm. One would assume he wants me to bring him along for the ride, but this is Markovic, assumptions are seldom on target.

Through the cloudy dark water I see the face of a madman with a sinister grin stretched across his face. He grasps the seatbelt harness and wraps it tightly around my arm. Markovic is prepared to die and has full intent of bringing me with him. Given time and life-giving oxygen, I can easily overpower him. I have neither. And the time he's stealing from me is sure to be the difference between life and death.

I'm certain I have mere seconds before my lungs give way. As I reach out to separate the belt from my arm he pulls me closer toward him. I impulsively press my arms against the door for leverage—and there I feel it. The gun has come to rest in the map pocket. With what little I have left I clutch it and shove it into Markovic's side. In anticipation of his release of my arm, I'm content to retreat without fire, but I receive no such response. His grip remains intact and my options narrow to one. I move the gun from his side to his chest, directly above his heart and I fire.

There's no ring of gunfire, the sound waves are blunted by the immensity of water, and minimized to a hollow pop. The effect is all the same.

Markovic's eyes widen then instantly begin to glaze over. His grip gives way. I break free and begin to retreat, but something inside of me demands finality. I grab him by the shirt and pull him with me as I make a clean rise out of the window and kick my way to the surface.

I feel as if I'm experiencing re-birth as my head breaks the surface. The air has never tasted so sweet. My body convulses in an effort to restore its necessary level of oxygen. Markovic floats to the top but his face remains down in the water, assuring me what I already know, what I hope. I place my hand on his neck and check for a pulse.

Onlookers on the shore yell out to me, but I'm too immersed in the moment to look their way. I'm certain there's a collective concern on shore for my friend. The concern is likely alleviated by the smile gracing my face. They couldn't be more wrong. My newfound joy is far more sinister. I find no pulse.

*Brajko Markovic is finally dead.*

I pull him to shore and lay him on his back at the feet of a handful of concerned citizens. The river has cleansed his wound but only temporarily. Blood begins to bubble from his chest and soaks his shirt in a dark crimson.

Confusion is a consistent state of mind among the gathering. Two men went into the river. One came out with a wound to his chest. I have no credentials to flash, just my word.

One among them recognizes me and it appears to put the others at relative ease. All of them are clutching or viewing cell phones, granting unspoken assurance that help is already en route.

I know I should stay on the scene but more pressing concerns exist elsewhere. Without further explanation I grab my shirt and shoes and head up the embankment.

My car still rests near the edge but I'm able to back away without issue. I take a direct route through the neighborhood, back toward my home—or what's left of it. The fire has been squelched but the damage is clear. It's half the home it once was.

For the moment, I couldn't care less. I engage the first officer I come to, desperately seeking the whereabouts of my family and Hector's condition.

I brace myself for what I might hear. The news is dire, but he confirms that Hector left the premises alive. The officer gives my drenched pants a once over. I begin to explain then think better of it. "Can you tell me where they were taken?"

"Come on," he says. "I'll take you there myself."

## Chapter 43

The Seton Hospital on the 38<sup>th</sup> is just minutes away. I can't get there fast enough. The officer slows to a roll in front of the Emergency entrance and I'm out and running before the vehicle comes to a stop.

Attendants escort me through a maze of hallways to a registration desk. It's clear to the staff that I'm anxious by the patting of my hands on the counter and the pivoting of my eyes. With just the utterance of my name, a young woman escorts me to a row of beds enclosed by hanging curtains. With a smile, she pulls open the curtain surrounding three beds. The simple one word acknowledgement of my arrival brings an immediate tear to my eyes.

"Daddy." Ellie is seated on the first bed. She reaches out to me and I clutch her little hand in my mine. I kiss it like royalty then bend over and shower her with kisses. She squirms and giggles. "Baby girl." I brush her hair with my hand then kiss her all over again.

Michael is next to her with Lacey at the far end. He's sitting like he's ready to leave, doing his best to look undaunted by the day's events. "Hey, Dad." I give him a fist bump and a wink. "You keeping an eye on these two?"

Lacey looks simply remarkable but there's an uneasiness in her eyes. I lean in and give her a gentle kiss. Keeping my back to the children I whisper, "Hector?"

"He's in ICU but he's still with us. They've promised to keep me updated."

"Thank God."

"We're forever indebted to him, Will. He took a bullet for us."

"More than one," I say. "He's unbelievable."

There's a long silence but our eyes never part. There's a question that remains unanswered, one she'd prefer not to ask aloud with the kids so close.

There's no need for her to ask, I'm more than eager to update her. I crouch next to her, brush her cheek with the back of my hand, then whisper the words that are sure to bring back some of the normalcy that's been missing for so long. "He's dead," I say. As morbid as it seems, we both can't help but smile.

"It's finally over?"

"He's gone, honey. He'll never bother us again."

She takes a deep soothing breath and closes her eyes. The smile is still intact.

I kiss her on the forehead and squeeze her hand. "Get some rest. I'll check on Hector."

## Chapter 44

My client is scheduled for execution in a matter of days, my rental home has been destroyed, and I'm less than twelve hours past taking the life of another human being. It's the best I've felt in a very long time.

With the looming threat of Brajko Markovic no longer around every corner, I've just enjoyed my first sound night of sleep in six months, albeit in a Residence Inn off the interstate.

Lacey and the kids were admitted for the night for precautionary reasons. And Hector is still hanging on. I checked on him one last time late in the evening. His condition is listed as critical but stable.

Both bullets were taken to the torso, one barely missed his heart and lodged in his chest cavity. The second came to rest beside the base of his spine. Surgery to remove both is scheduled for mid-day.

I place a call to Ethan to bring him up to speed. His relief that Markovic is dead is quickly tempered by his concern for Hector. And then I shift gears. I give him the piece of the puzzle that's been missing from his life for more than a decade.

He takes news of Poe's confession in a most unsettling manner. No relief. No satisfaction. Ethan wants justice. And I know that it's best to allow him to think Poe is safely tucked away in the Arkansas' Tucker Unit for the remainder of his natural life, "a hell I'd wish on no man," I add.

But Ethan wants more, and I simply can't allow it. We need Leonard Poe to show us his mother's remains, to solidify the claim he's made for months. Anything short of that will destroy the credibility of the claim, returning the blame to my client, his father.

If Ethan learns of Poe's presence in the open countryside of Burnet County, I'm all but certain a sniper's bullet will put an abrupt end to our search for his mother's remains.

I speak of justice and the need for acceptance and finally of the power of closure. This calms him a bit, at least for the moment and he redirects his thoughts to Markovic.

"I guess we failed you, Will," he says somberly.

"Failed me? Hardly. You kept him at bay for weeks, far longer than he intended. And if not for Hector..." There's a catch in my throat I didn't see coming, "...well, it's painful to even consider how it all would have ended."

We speak a while longer about his father's pending execution and his intentions if my final efforts come up short.

Ethan has yet to decide whether he'll be on hand on that fateful day.

Just after seven p.m., I enter the Austin Police Department of my own free will and don't leave for another two hours. I offer an unsolicited depiction of the death of Brajko Markovic for Chief Morales, his Chief of Staff, the highest ranking lieutenant on duty and two young officers. My explanation of the day's events and the prior months, much of which is public knowledge, proves an acceptable and justifiable basis for my actions.

One young hotshot feels it necessary to polish his badge by pressing me on my decision to leave the injured victim without first seeking medical aid. I assure him I had seen enough dead bodies in my time to know he was no longer among the living.

Furthermore, the law demands only that one takes reasonable and necessary actions to obtain assistance in such a case, a mandate that was clearly realized by the four 911 calls on record. The Chief put an end to further questioning then and there.

Markovic's body is tagged, bagged and taken to the city morgue where it will be given a once over with no official autopsy deemed necessary. The cause of death is unmistakable and undisputed. And if all goes as scheduled his body will be cremated within a matter of days. His death will make national news with the dramatic events leading to his demise serving as fodder for legitimate media outlets and tabloids alike.

The interest is sure to be short-lived, trumped by a political scandal or a Hollywood break up—and that's all fine with me. I'm no hero, just a simple man who got caught up in a form of hell he couldn't escape until the devil got his due.

I make a pot of coffee in my hotel kitchenette and place a call to my old client and landlord. I fill him in on the unfortunate series of events. His immediate interest is in our well-being, then he chuckles and makes mention of the importance of paying insurance premiums in a timely manner. He suggests a few other possible rental properties and I promise to touch base after my schedule clears.

For now, this will be our home. And if I know anything about my two young ones, this two bedroom suite with an outdoor pool will be an unexpected and welcome adventure for a while.

I grab the *Austin American Statesman* outside my door and spread it out on the kitchen table. My phone call regarding Poe's confession is not a day old and by extension, has not yet received the necessary vetting to meet journalistic standards. Yet there it is.

Page four of the Metro and State section, a single well-written paragraph that carefully treats the confession as an unsubstantiated claim from a reliable source. It provides a cursory background of Karl Dutton's past and his impending execution and quite masterfully suggests that Dutton has long been the prime suspect in the death and disappearance of his first wife, Charlotte Dutton.

"Bravo," I mumble to myself. "Let's see if we can make hay from that."

I'm anxious to hear what effect this news has had on Howell DuPont and the governor, a task I've left in Hillary's capable hands.



For now her staff's more pressing charge is to find an eight year old transfer of five million dollars between Jonathan Moore and one or both of the Crowley's. A mission that careful consideration has led me to accept will fail miserably.

The notion that a man of Jonathan Moore's intellect and experience would leave a discernible trail of his dalliances is fantasy. We need a different approach, help from the inside as it were. And I know exactly where to find it.

## Chapter 45

It's not uncommon in my line of work to wallow away the better part of a day in a parking lot or side street awaiting the arrival or departure of a given subject. By good fortune, today's wait is less than an hour.

I'm camped out along the curb next to a well fed parking meter when David Moore exits the parking garage of the offices of Moore, Halston, and Moore. An earlier call to the offices assured his presence and from there I opted to wait unseen.

Although I have every right I to engage him on his own turf, I'm keenly aware that my presence is no longer welcome in the building.

I've spent the hour searching a variety of social media sites on my I-phone with increasing enthusiasm. Hillary Pride has struck again.

Word of Poe's confession from an "anonymous" source has been tweeted and posted in a variety of fashions and the conversations and insinuations have begun. Ramblings surrounding the confession, however, pale by comparison to the blatant and glaring accusation levied at Jonathan Moore and Elizabeth Crowley. Hillary, or 'the source', hasn't minced words. In a series of tweets, with no concern for libel, she described the pair as Virginia Crowley's indisputable killers. The cyber world can't get enough of it.

David Moore is in no particular hurry as he exits the parking garage, and it's quite simple to maintain his tail without giving away my presence. He drives less than a mile before pulling into the lot of Austin Java. I park a few spots down and wait for him to enter the establishment to make my move. He orders a latte while scanning the *Statesman*, then drops down in a booth and spreads the paper out in front of him, still unaware of my presence.

"Check page four," I say, "Metro and State section." He looks up and gives me a less than welcoming glare. He starts to get up. "Why such a rush?" I ask. "I thought maybe we could catch up on things. Let me start by offering my sincere condolences for your loss." My sympathy is real but its timing suggests otherwise.

He takes a deep breath then drops back down. He holds up his I-phone. "I don't suppose you had anything to do with all the recent Twitter accusations against my father."

"Accusations? I think we both know they're valid assertions."

"This is not the way you go about it."

"Such a response is not exactly a denial of their accuracy," I say.

He shakes his head and scrunches his brow. "Do you have any idea what kind of backlash you're in for?"

If I'm wrong, he's dead right. Jonathan Moore will drag me through the court system and drain me of every dollar I have or ever plan to have. But I'm not wrong. I'm certain of it. And I'm certain David knows it as well. I dismiss the threat and move on. "You never told me the firm handled Dutton's case for free."

"That's because I didn't know."

"So you know now?"

He scrambles to recover from his misstep. "I surmised as much from the tweets."

"So tell me, why would the firm do that?"

"Beats me."

"Really."

"Get to the point, Hogarth."

"Tell me the nature of the relationship between your father and Elizabeth?"

"You'd have to ask them."

"They must have been quite close if they trusted each other enough to plan a murder together."

David looks to his left then over my shoulder.

"Waiting on someone, David?"

"I'd prefer we keep this conversation to ourselves, that's all."

"Fine." I lower my tone. "Tell me about Elizabeth and your father."

"They were lovers," he says plainly.

"And this ended when?" My question is leading and he knows it.

"When she took another."

"And that would be you?" He nods. "My, what a web we spin."

"But I started up with her after the trial. Well after. I can't say the same for him."

"As I see it, you stole his lover so he returned the favor."

"I have no idea who killed Curtis, if that's what you're saying."

“Sure you don’t. How about we cut through the crap, David? We both know how this all went down. I was close for weeks. I just had the wrong Moore. Why couldn’t I see it? You were just an accessory. Of course, that’s enough to put you away for a good while. Say ten years in Federal? How does that sound?”

He fidgets a bit and looks about. “I had nothing to with any of this.”

“That’s going to be hard to prove. It’s your word against your father’s after all. I’ll tell you what, you help me out and I won’t drag you down with the others. Deal?”

A small twitch in his neck and a flare of the nostrils unmask his concern.

“I’m innocent.”

I slap my hand on the table and his latte spills over the edge of the mug. “Your father killed Curtis!” My words draw unwanted attention from surrounding booths. I lower my voice and drive home my point. “He killed the man you love for the sake of his own neck. What kind of father does that to his own flesh and blood? If not for Virginia, at least get justice for Curtis.”

“It’s best left alone. There’s no way of proving any of it.”

“Tell the DA what you know. If nothing else, we can buy Dutton some time.”

“Are you really that naïve, Hogarth? The courts won’t override eight years of decisions on the word of his defense attorney.”

“You might be surprised. Why not try?”

“You wouldn’t understand. It’s just the way the system works.”

“So you intend to do nothing?”

“My father is one of the most revered attorneys in the Texas Bar. Do you really think you can pin Virginia Crowley or Curtis on him based on some misappropriated funds?” He leans forward and drags out his words. “It’s time to let it go. You got a nice paycheck and the one thing you wanted most of all—Markovic is dead, forever out of your life.” He leans back and gives me a look of renewed poise. “And if he really died in the manner I’ve heard, you might want to focus your attention on your own defense.”

I roll my eyes at this, giving it no credence. “Here’s what I know. You had nothing at all to do with Virginia’s death.” A momentary look of relief washes over him but I sink the knife back in. “But you’re complicit. Let me lay it out for you.”

“Do I have a choice?”

“It all went down just as Dutton stated time and time again during the trial. Elizabeth Crowley made the phone call that lured him to the Austonian penthouse on that fateful day--not Virginia. Long

about the time Dutton enters the building, your father performs the now infamous act of tossing Virginia Crowley over the railing to her horrific death. Dutton, of course, is seen by several eyewitnesses and captured on video footage, just as planned. Unaware of what's occurred in Virginia's penthouse, he walks right out into the crowd forming around Virginia's body with no concern for discretion. Meanwhile, our real killers camp out somewhere within the building until the smoke clears. They leave out the rear exit where their departure goes unrecorded. A near perfect plan."

David makes no attempt to interrupt or correct me. He actually appears amused and somewhat pleased that the truth is finally out.

"And just in case the damning video evidence against Karl Dutton isn't enough, your father adds the fuel to the fire by creating a motive out of thin air. The elusive offshore funds. He even creates bogus documents to back up his scam. Of course, I've yet to get my hands on those documents despite numerous requests. Perhaps he thought better of putting them in front of scrupulous eyes."

David smirks. "Good luck proving any of it."

"You've been honest with me on one account, David. You had nothing at all to do with bringing Dutton on board. That *was* all your father's doing. It was his primary role in the whole ruse. Elizabeth and Curtis were more than willing to pay a third of their inheritance to assure that Dutton took the blame. Of course, your father is far too proud to lose the case himself, so he does the next best thing, he gives it to you, certain it's too much for you to handle."

David blushes noticeably. "I guess he was wrong, wasn't he?"

"Yes he was. You did far better than he planned and he felt threatened by it. That's when he decided to let you in on the whole plot to frame Dutton and collect the much needed funds to get him out from under the Karaway debacle. It's at that point that you realized your own livelihood was at risk, so you got on board and turned your back on Dutton. You had the Crowley's on the ropes and you let them walk free."

"Congratulations, Will, you've created quite a tale. Hats off to you. The only problem is proving it. You've got two days to find proof of a nine-year-old transaction that more than likely no longer exists."

"You're absolutely right, David. And for that reason I don't intend to try."

"Good...I think."

"I'm turning my focus to a more recent murder. The one I can prove. You see, once this all comes out it's going to be quite obvious that Curtis was killed to keep him quiet. The three obvious suspects? Elizabeth Crowley and the father and son duo of Dutton's defense team. Bridging the gap between Curtis' killer and Virginia's is quite simple. I'll be more than happy to take on that duty."

"You have nothing on me. I didn't do it."

“No, your father did, but if I were betting man, I’d say he’ll point the finger at you to save his own ass. He probably has trumped up evidence already in his back pocket, just in case.”

“That’s ridiculous.”

“Is it? I’m quite confident he’ll turn on you. We already know he’ll go to extremes to protect his precious firm. Do you really think he’s going to let his gay son bring him down? And why would anyone doubt his word? He’s a highly respected member of the bar. And you? You’re just a spoiled rich kid living off the hard work of others. Fortunate sons don’t do real well with juries. What’s more, you have a history with the deceased, a past that’s known by many in this town. And we all know a jilted lover is capable of just about anything.”

David is shaking noticeably.

“So here’s how it goes down, David,” I say steadily. “You go to the DA immediately with the case against your father or I start building one against you. And I don’t just stop when Dutton’s in the ground. I never stop. Not until you’re trading cigarettes for favors in the yard.” I let this linger then intentionally lighten my tone. “So what do you say, David? Can you spend ten minutes spilling the beans to the DA? Or do you prefer taking the fall for the murder of Curtis Crowley?”

“Your ethics leave something to be desired.”

He’s right about that, almost. My bark is far worse than my bite. I wouldn’t allow David to take the fall for a crime he didn’t commit. It’s not how I operate. But this bluff is all I have. So far it appears to be hitting its mark.

“I’m not above bending a few rules when a life is at stake,” I say. “Karl Dutton didn’t kill Virginia Crowley. Your father did. Plain and simple. Now don’t let the wrong man die for someone else’s sins.”

“What makes you think the DA will be interested in admitting a wrong?”

“Speak with Marty Pratt.” I jot down his number and push it across the table. I tap my finger. “Do it today. Not tomorrow, not the next day.” Tap, tap. “Today. He’s going to be a little busy the next couple of days.”

David neither refuses nor agrees, but I know that I have him. I get up and leave without another word.

With one plan enacted I move on to another, one that holds far less promise, one I considered avoiding altogether. I call Richard Halston and tell him everything I believe.

He offers nothing in reply but he doesn’t cut me off either. He allows me to speak for several minutes with nothing more than grunts and sighs. When I’m through, he thanks me for calling and ends the conversation without affording me any degree of emotion one way or another.

I have no idea what to make of it, but the truth is now known by all three partners of Moore, Halston, and Moore.

## Chapter 46

Hillary Pride and Howell DuPont trade voicemails for the better part of a day-and-a-half before Hillary opts to bypass the game of tag and meet him face to face. At noon she enters the Austin Country Club, certain she knows exactly where to find him. The predictable DuPont does not disappoint. He's already enjoying his second tax-payer paid gin martini at his favorite corner table.

He waves her in from across the room, then hastily introduces his lunch guests before excusing himself and escorting Hillary to the bar area.

"You've been a busy girl," he says in a hushed tone.

Hillary neither denies nor admits credit for the social media onslaught he's referring to. "Do you think we can find somewhere a bit more private?"

DuPont looks around. "Sure." He takes her by the arm and leads her to an empty conference room off the main dining area and closes the door behind them.

"Tell me all you know," he says. DuPont is the picture of success in his thousand dollar suit and his equally posh New & Lingwood calf shoes, but for the moment he looks the part of an animated greenhorn anticipating a much-needed Christmas bonus.

"What do you want to hear first? Jonathan Moore or Poe?"

"Let's start with credibility. How strong do you feel about all this?"

"Rock solid with regard to Moore. As for Poe, that all depends whether we locate remains."

He strokes his chin and begins to pace. "I must say, my initial reaction was disappointment with regard to Poe, but if those remains are found it may be a tipping point."

"How so?"

DuPont wags his beefy jowls and raises his hands. "On the general public, of course."

Hillary doesn't let him off easily. "You meant the governor, didn't you?"

"You didn't hear that from me. Who's orchestrating the search?"

"The DA's office."

"I beg your pardon? What interest is it to them?"

"Fair justice, I suppose."

"I thought Harrison had his own issues to contend with, if you know what I mean."

"He does. The indictment takes precedence over his entire docket. His assistant, on the other hand, is left to pick and choose as he pleases."



“You’re referring to Pratt?” DuPont asks.

“Yes. He was the one who actually took the confession.”

“And Hogarth convinced him to do so?” He chuckles. “I’m not sure how I feel about that young man but I must say he’s quite resourceful.”

“Pratt has a team headed to Burnet County in the morning.”

“I certainly hope they’ve narrowed it down more than that,” DuPont says with a ring of cynicism.

“Poe claims the remains are buried on what was once was a family farm owned by his grandfather. It’s a hundred acres and it’s changed considerably in the past decade.”

“Changed? How has it changed, darlin’?”

“County plats show it as a high end housing development.”

“Good Lord. How does he intend to dig without a legal fight?”

“The process has already begun. All we can do is hope.”

DuPont’s shoulders sag. “Please keep me abreast all the same. Now let me tell you a thing or two about Jonathan Moore. Rhett Wilson and Moore go way back. One might even say they’re cut from the same cloth. Both are UT Law School grads, same fraternity, same secret societies and more than their fair share of interactions over the past few decades. Furthermore, the governor is no stranger to false accusations. It comes with the job. I suspect he’ll dismiss these rumors like he does all others, with very little thought—if he hasn’t done so already.”

“Can’t you talk some sense into him? We don’t need an outright pardon, we just need more time.”

DuPont smiles at this. “Dutton has had plenty of time. Eight years in fact. Not my position, of course, but that’s the response I’ll get.”

“So what do we have left?” Hillary asks, defeated.

“Pratt’s backhoe and a court order. Short of that, we’ll need a miracle.”

## Chapter 47

Jonathan Moore shoves the contents on his desk into his briefcase in no particular order and seals it shut. He slings his suit jacket over one arm and takes a final look about.

“Headed somewhere, Jonathan?”

“Richard. I didn’t see you standing there.”

“Just walked up.”

“Come in, come in,” he says. “Just putting together some final items for the trip.”

“The trip?”

“Yeah. Those depositions in Chicago, you remember?”

“No.”

“The Peterson case. Big embezzlement suit?”

“That’s this week?”

“Unfortunately. Anyhow, what’s up?”

“The obvious of course. We’re filing last minute motions for our client. You remember Karl Dutton, don’t you?” he asks condescendingly.

“Listen, about that. This Chicago thing may tie me up for the better part of the week. I meant to ask if perhaps David or you might be able to make the trip to Huntsville in my stead—if it comes to that, of course,” he says with a wink.

“Don’t you think you should be part of the final push? There’s plenty to do in the next forty-eight hours.”

“Believe me when I tell you, Richard, I wish I could. This matter is just too pressing.”

“And oddly convenient,” Richard says stoically.

Jonathan sets his briefcase on the desk and drops his jacket over the back of his chair. He gives his partner a self-assured look. “Please don’t tell me you’re buying into all this internet chatter, friend. It’s nonsense and you know it.”

“Of course. But I can’t speak for others. Don’t you think you should at least address it with the staff?”

“And give it merit? I don’t think so. It’s rubbish whipped up in a last minute attempt to save Dutton’s ass. While I’m all for saving Dutton, I’d rather not be the one taking his place,” he says with a contrived smile.

“I didn’t get my information the same way as the others. I received a call from our investigator.”

Jonathan smiles. “How come I’m not surprised? This is Hogarth’s doing? I hope he has some money. This kind of libel won’t be taken lightly.” Jonathan looks at his watch. “Now I’ve got a plane to catch. Can we do this some other time?”

“God knows we don’t agree on everything, but we’ve always been able to trust each other.”

Jonathan picks up his jacket and begins to put it on. “I couldn’t agree more. What’s your point, Richard?”

“Why didn’t you tell me you took the Dutton case pro bono?”

“Is that some kind of joke?”

Richard remains stone-faced

“What are you talking about?”

“Dutton claims he never paid us a dime.”

“Why would he say such a thing?” Jonathan waves it off. “I can’t even dignify that with a response. It makes no sense.”

“I agree, but why would he make such a claim? What could he possibly stand to gain?”

Jonathan shrugs. “Who’s to say what goes through that man’s mind. We both know he has a less than stellar relationship with the truth. Anyway, how do you know he even made such a claim? Hogarth is scrambling. He’s a man with a very large ego who likes to win. Looks like he’s trying to create enough doubt to buy time, maybe get a stay of execution. Fool. Someone ought to tell him he’s messing with the wrong man.”

The partners share a long searching look before Richard says flatly. “This is something quite easy to determine. I’d prefer not to go through the effort but I will if I have to. Did Dutton pay us or did he not?”

“Of course he did. Where else would I come up with that kind of money?”

“Hogarth has a theory.”

“I know. He’s let it leak all over the internet. So go ahead, ask me, Richard. Ask me what you really want to know. Did I kill Virginia for a price?”

“Come on Jonathan, I don’t think that. We both know that’s ridiculous.”

“You’re right, it is ridiculous. My only involvement with this case begins and ends with Dutton. Once he became a suspect, I reached out and offered our services. I was as surprised as anyone that he hired us. But he hired us for our reputation, nothing else. We charged him the going rate. The fact that it all happened in lockstep with this whole Karaway mess was just dumb luck. If Hogarth and Dutton think that they can exploit that coincidence without a fight, they’ve got another thing coming.”

“There’s more.”

“Why am I not surprised?”

“He says you and Elizabeth were intimate.”

“Come again.”

“Just laying it all out there for you.”

“I’m afraid she’s not my type.”

Richard’s demeanor lightens for the first time. “I wasn’t aware you had a type.”

“I have certain preferences,” he says with a grin. “Me and Elizabeth, huh?”

“Yes. His exact words were ‘you two were in bed together in more ways than one.’”

Jonathan smiles brightly. “I’ve got to hand it to Hogarth, that’s a nice touch. Murder, lies, *and* sexual impropriety. Quite thrilling really, however fictional it might be.”

“So you deny it?”

“Vehemently,” Jonathan says coarsely. He pulls open a file drawer and thumbs through it. “I’d imagine I have her number in one of these files. Why don’t you ask her yourself?”

Richard holds up his hand. “There’s no need for that.”

“Good. It’d be a waste of time.”

“I’m sorry I came at you this way, Jonathan. I just think its best we both have the same answers to these questions when and if the time comes.”

“I’m not sure I follow.”

“This rumor is spreading like wildfire. It’s just a matter of time before the press starts looking for answers.”

“Screw them.”

“That’s one approach, or we can set the matter straight. Put an end to it right out of the gate.”

“Makes no difference to me either way.” Jonathan checks his watch. “My time is short.”

“I think it’s important we’re in sync on all questions.”

“I thought we just covered them.”

“Not everything. To be honest there’s a couple of things that have always troubled me. Issues I’m not sure how to respond to if they’re ever to come up.”

“Shoot.”

“First off, why did you choose to use David in this case? He was young, so inexperienced.”

“We discussed that at the time. I thought he was up to it. That simple.”

“Ok. As it turned out you were right. He *was* ready to take on the case—and he was doing quite well. Just about the time the jury is seeing through the Crowley’s charade, you decided to make a case for suicide, totally letting the Crowley’s off the hook. In light of these new accusations, don’t you think that may look a bit suspicious? How do you suppose we handle that one?”

“Same reason we gave at the time. We were trying to give the jury enough options to create reasonable doubt. We both know now that was a mistake. I’ve taken the blame for that.”

“That’s the kinds of thing the media will latch onto. You’re the best damn attorney I know. A mistake like that may not be written off that easily. What about our appeals?”

“What about them?”

“Not exactly our best work either.”

“We didn’t have much to work with. We did the best we could. Come on, Richard. You’re blowing this out of proportion. These are minor details from years ago. No one’s going to dig deep enough to throw these in our face.”

“One might.”

“You mean Hogarth.”

“Don’t think for a minute he’s going to ignore Curtis’ unexpected demise. Hogarth says that was your way of making sure he wouldn’t talk. He says he intended to cut him a deal for the truth. You were the only one who knew of that plan.”

“This guy is starting to really tee me off. Look, I don’t know who killed Curtis or why. The trial was more than eight years ago. Curtis has made a lot of new friends since then. And with seven or eight million bucks, there’s no saying what kind of vermin he’s attracted.”

“Ok. Fair enough. That’s as good an answer as any. I just want to be certain we’re responding in the same manner. I’m the one sticking around after all,” he says with a grin. “Go on. Get out of here. I’ll keep the place together while you’re gone.”

Jonathan walks past him and slaps him on the shoulder. “This will all be forgotten in a matter of days.”

## Chapter 48

For David Moore the notion of ratting out his very own flesh and blood is a matter that holds neither shame nor guilt but rather a heavy price tag. While the loss of Curtis causes him considerable grief, it's a loss that will ease with time—time and a suitable replacement.

Loss of gainful employment on the other hand, will not be so easily supplanted. And new employment will not come with the benefits and salary of a partnership.

The life he has come to know will be traded for that of a working class lawyer, fighting it out in the pits with the dredges of the profession in a vain attempt to keep the wolf from the door. Quite simply, a confession to the DA will cost him millions and will forever bring shame to the family name. Word of his father's transgressions will spread through the legal community like red wine on a Flokati rug.

That will be the least of it all. The media will latch on with unprecedented fervor, dissecting and disseminating every enthralling detail. And they won't stop there. Details of David's sordid affairs will be journalistic gold, portraying him, quite rightfully, as an egotistic playboy of undeserved good fortune. One who had but one moment of good conscience, a decision that will be scrutinized and second-guessed and eventually determined to be nothing more than self-serving. In short order, it will be plain to see that he not only knew of his father's actions, but was complicit in keeping them under wraps. With his father behind bars, he will be left to his own devices with regard to his defense, a trial that will almost certainly end in indictment and disbarment.

So there it is: a decision to be made. Shame, disbarment, and financial ruin or test the threat of a relentless private investigator. A conundrum laced with peril, but one that is already settled in his mind.

Will Hogarth can go to hell. If his father is to be brought down, Hogarth will be left to do it on his own.

## Chapter 49

Richard Halston locks himself in his office for two hours with direct orders not to be disturbed. He quickly buries himself in his work in an effort to quell the uncertainties rattling around inside his skull. The attempt is less than effective.

Something isn't sitting right. Unable to sit still any longer, he begins to pace the halls, a signature ritual all are accustomed to when the senior partner is deep in thought. All know better than to break his trance as he passes by. His gaze is locked on nothing in particular and his path marked by sudden stops and redirections. Twenty minutes of pacing come to an end at the reception desk. He rests his arms on the partition and gives the administrative assistant a gentle smile.

"Did Mr. Moore make his flight?" he asks. She glances at her watch. "Let's hope so."

Richard's eyes rove over the desk area with no specific intent. "Any messages?"

"Just one, sir." She hands him a small pink note.

"Whose are those?" She smiles. "You know whose those are. This is your rack and this is Mr. Moore's."

"Of course." He smiles. "Can I see them?" She hands them to him without hesitation. "Anything pressing?"

"It's not for me to say. I text Mr. Moore if the caller requests."

"Was such a request made for any of these?"

"Just a couple. The message from Centurion Holdings and the one from Elsie."

"Elsie?"

"She referred to herself as an old friend and left a call back number. That's all I know."

"I see." Richard wraps his knuckles on the desk. "If it's all the same to you, I'll notify Jonathan of these."

"You're the boss."

He smiles and turns away.

"Oh, Mr. Halston."

"Yes, dear."

"For what it matters, that Elsie one might be LC. She said it so fast I wasn't sure."

"LC. Ok. Thanks."



Richard pulls out his cell phone and heads back to his office. He sets aside one of the two notes, Centurions Holdings holds no interest. Elsie, or LC has his curiosity. He's quite certain it's nothing more than the musings of an altered subconscious reacting foolishly. "Elsie," he mumbles. Neither interpretation means a thing, Elsie or LC, but the flippant lack of detail is peculiar, though only on such an atypical morning. "An old friend." He ponders the mystery a moment longer, then picks up his phone "Oh, what the hell."

His call goes immediately to voicemail, the result he had hoped for. The voice is recognizable, as is the name.

"This is Elizabeth Carpenter, I'm sorry I've missed your call..."

Richard hangs up abruptly. "My God, Jonathan." The implications are daunting. He drops to his chair and ponders all possibilities, but no suitable explanation arises. He needs answers. Answers from somewhere other than Jonathan himself. He places another call, this one internal.

"Hey, Sheryl, it's Richard."

"Good morning, sir."

"I'm in need of some dated files. Would you mind helping me out?"

"Of course."

"Would it be possible to track down a receivable that's eight or more years old?"

"The computer goes back a decade."

"I know, but I'd like actual hard documents if possible."

"We keep files for seven years for tax purposes right here on the floor, after that they're purged."

"Purged?" he says, disheartened. "You mean destroyed?"

"In some cases, but most are boxed and stowed away. What specifically are you looking for?"

He hesitates a moment, wondering how deep the cover up might be, then presses on. "I'd like to see documentation of Karl Dutton's payments to the firm."

"If he's in arrears we best hurry. It becomes bad debt in a couple of days." Richard doesn't respond. "I'm sorry, sir. That was in bad taste."

"It's fine. Do you think you can help me out?"

"I'm sure I can, but it might take some time."

"How long?"

“Several hours once I’m able to get started.”

“I’ll clear your schedule. I need you to get started right away.”

“Yes, sir. Can you narrow the timeframe a bit?”

Richard does his best to do so.

“Ok. I guess I’ll get started.”

“Thank you, Sheryl.”

“My pleasure.”

“I owe you. Please track me down the minute you find something.”

“Will do.”

## Chapter 50

Leonard Poe's arrival in the city of Bertram in north-central Burnet County is a highly anticipated and well-attended event among city and county leaders. With the Austin media and police escorts on hand it may well be the most intriguing event that the quiet farming community has experienced in decades.

Warden Stark sits beside his shackled prisoner in the back of an APD patrol car for the fifty mile drive. Poe is donned in prison orange, despite his continual requests for common street clothes. They arrived at the Austin Bergstrom International Airport on a red-eye just hours earlier and were immediately whisked downtown to meet with Chief Morales and the head of the Cold Case Crimes Unit.

The meeting lasted fifteen minutes; nothing more than a professional courtesy. From there, as planned, the chief provided a four man crew to transport the Warden and his convicted killer out of town on a westward path deep into the Texas Hill Country.

An hour into the drive they pass though the quaint town of Marble Falls on the shores of the Pedernales River. The town proves to be the last sign of civilization for many miles to come. The county road narrows to two lanes for the remainder of the drive, and traverses rolling hills framed by acreage touched only by livestock and anticipated harvests.

The lead car abandons the main road and drives until the pavement ends. Poe is pressed against the window with child-like excitement through it all.

"This best not be all for nothing," the warden grumbles.

Poe offers nothing more than a perverse grin.

Any doubt that they have reached their intended destination is eradicated by the considerable welcoming committee awaiting their arrival. A swarm of cameras spot Poe and press up against the glass. The convicted killer finds it all quite thrilling.

"Enjoy your moment in the sun, boy, it won't last long," Stark says. "I want to be out of here by mid-day."

Stark leaves his prisoner to the care of an officer and the hungry wolves. He exits the vehicle and begins glad-handing the entourage consisting of Marty Pratt, the Burnet County Commissioner, the mayor, two city managers, the local police chief and five of his officers, a Methodist pastor, dozens of local residents, and five man excavation crew. Three are busy removing equipment from trailers and flatbed trucks. A large yellow Caterpillar Excavator fitted with a quick coupler and a tilting bucket is already on solid ground and ready to dig.

The city manager provides the gathering with the legal details regarding personal property and the limits of exactly where and how long the excavation will be allowed to take place. Any and all mining must be pre-approved before a single cup of dirt is pulled from the earth. Property rights take precedence over all other matters. Stark's hope of a quick dig is diminished with every word, unless of course, they hit gold from the onset.

Pratt gives a divisive speech regarding the remains. All body parts are to be properly bagged and tagged under his watch, at which time they become official property of the Travis County Medical Examiner. No souvenirs will be allowed under the threat of prosecution.

The county has provided two wide body golf carts to navigate the former farmland, a considerable amount of which is now paved roads knitting together a twenty home, upper-middle class housing development. The builders have paid particular attention to privacy and priced the homes accordingly. Each home enjoys a minimum of five acres, a fortunate detail that highly diminishes the dreaded possibility that Charlotte Dutton's remains have been covered by concrete, steel and a hardwood floor.

Poe's description of the whereabouts of the remains has been quite exact, never once wavering on his assurance that his victim's body will be quite simple to find. He buried his victim six feet deep, as he was able to dig a suitable grave without rush or concern of detection. He chose a point in the northwest corner of the farm near a hundred-year-old live oak, a tree he climbed countless times as a child and lost his virginity beneath in his early teens, an unnecessary detail that Stark has had to endure a dozen or more times.

The farm remained in the family until recently. On the death of the Poe patriarch, the land was passed down to his only son, Leonard Poe's worthless father, an unfortunate heir to such a bountiful plot of land. Unable to maintain suitable work for any considerable amount of time, the drunken Poe failed to pay property taxes a time too many. The county took uncontested ownership of the land in a court of law, ending a six generation stretch of Poe ownership. It was quickly auctioned off to the highest bidder.

Leonard Poe remains shackled, sitting between Warden Stark and Marty Pratt in the back row of the lead cart. Poe gives directions to the officer at the wheel, purposefully leading them off the paved road and onto uneven terrain. Stark holds tightly the side rail and casts a less than pleased look at his prisoner. "No funny business, Poe."

Poe smiles, but his confident demeanor lasts only so long. Stark can't help but notice the mounting confusion in his prisoner's eyes. His directions become scattered and illogical, leading them in one direction then taking a series of sudden turnabouts over already covered land.

"This is nonsense," Pratt says.

Stark drops his head and groans. "You're lost?"

“It’s changed so much.”

“Of course it has,” Stark barks. He taps his driver’s shoulder. “Take us back to paved road.” Once on steady ground the tandem of carts comes to a stop and Stark addresses his floundering guide. “Do you have any idea where we’re headed?”

“It was the back corner of the land. I just can’t tell no more where it starts and stops.”

Stark looks over his shoulder at the County Commissioner. “Mind if I have a look at those plats.”

They spread the map out on the ground, and after a short review, several of the men start pointing, most in conflicting directions. Pratt pulls Poe from the cart and makes a circle around the northwest corner of the plot. “You say it’s in this area, correct?”

“Yeah.”

Pratt looks around at the others. “Anyone know where this area is in relation to where we are?” No quick answer comes. “Perhaps we ought to head back to the main road. From there we can solidify the east and west land boundaries.” He draws a line from the western edge to the circle. “From this point it should be a straight path.”

Silence serves as consensus. Nearly an hour has been wasted on an ill-advised journey, but Stark and Pratt are both confident that it will be their sole and final miscue. They couldn’t possibly be more wrong.

## Chapter 51

What Sheryl had hoped would take no more than two hours, turned into six. By the end of the work day she gives Richard Halston a less than confident response to his pressing request. She hasn't found any indication of payment from Karl Dutton to the firm. Unwilling to accept this news as adequate confirmation the Dutton case had, in fact, been taken pro bono, he excuses Sheryl for the evening with a request for one final effort come morning.

By noon the next day, a second effort has been exhausted with the same result.

"I just can't find any indication that Mr. Dutton paid for services rendered," she said with frustration. "I can't imagine who might have taken them."

"Are you confident you've looked in all the right places?"

"Very. We box receivables and payables separately. After searching every receivable box in a two year time period I did the same for payables. It makes little sense, but I figured perhaps a receivable was properly dated but put into the wrong box. Simple enough mistake."

"But you found nothing."

"No, but yes."

"I've never quite understood that expression."

She smirks at this. "It means I didn't find receivables showing payment for Mr. Dutton but I found a great deal of expenses coded against his case. We were spending his money in great amounts, but there's not a trace of proof that he ever paid us a dime."

"Any deposits in that timeframe? Significant deposits."

"That's where I headed next. Yes, there were a series of large deposit over a ten week period, all within the same timeframe as the expenses."

"And can those deposits be matched against any other receivable?"

"Sure, but it's unlikely that any of our cases back then can account for all of these deposits, except one, of course. I'm quite aware Mr. Dutton's case was very lucrative to this firm. Being in the position I am, I'm also aware what we collect from other clients. This kind of money had to be connected to the Dutton case. None of the others come close. And here's the thing. There were five identical deposits, further suggesting they came from the same source."

"Why would you make such an assumption?"

“Well, of course, I can’t be sure, but the frequency and dollar amount appear to be in line with our standard billing process. Once a payment date is established with a client we’re adamant on a strict fourteen day cycle. These deposits match that regularity to a tee.”

“And the amount?”

She gives him a wide eyed look and draws out her word for effect. “Five payments of exactly one million dollars each. Five million big ones.”

“I see.”

“So you see, Mr. Halston, that must have come from Mr. Dutton. I just can’t seem to provide the documentation.”

Halston has heard all he needs to know. Searching for the absence of a thing never holds the same satisfaction as seeking and finding a lost treasure. All one can do is accept that the item is not where it should be, and build a summation from there.

In a vacuum, it isn’t quite enough, but this is the much needed third leg to a wobbly stool. Jonathan’s less than convincing explanation prior to racing out of town unexpectedly, followed by Elizabeth’s bewildering attempt to make contact on the very day rumors have been spread all add up to one lousy synopsis. Richard’s partner and friend of fifteen years had done a very bad thing. And someone was about to die for it.

Richard is well aware of what needs to be done. He just isn’t sure if he’s willing to do it.

## Chapter 52

My life has had one consistency over the past year; any and all happiness is tainted by impending doom. The approaching and seemingly inevitable execution of my client weighs heavy on my mind. I intend to fight until the very end. Yet I am for the moment, filled with irrepressible joy.

Lacey, Michael and Ellie are back where they belong, safe with me and no worse for wear. Nothing is more important to me—not now, not ever.

Our escape from death is nothing short of a miracle, yet here we are, not only together, but for the first time in a very longtime, free from the fear of retaliation of a madman. I can only pray the vivid memory of horror cast upon us will sink deep into the murky recesses of my children's memory and one day fade all together.

Lacey assures me that the children will survive two days without the constant presence of their father. Karl Dutton, however, may not. She kisses me on the cheek and sends me on my way.

It's just after seven when I enter the office of the Capital Defender Group, yet I'm not alone, not even close. Hillary and her staff have worked through the night writing motions and researching any and all legal precedence that might sway either the court or Governor Wilson to delay the execution.

Spending Karl Dutton's final full day with Hillary Pride and her crew was not my first choice, rather one borne from capitulation.

Late yesterday Marty Pratt confided that David Moore had made no effort to contact him. My bluff had failed. David chose riches over righteousness and threw my threat of reprisal to the wind. In so doing, he destroyed my most promising chance of a last minute reprieve.

I reacted in kind by placing a most dreaded phone call to Warden Del Kruger. He ended with a promise to convey the disparaging news to his next to die then thanked me for my efforts. I responded with an apology, not only for my failure, but for raising Karl's hopes one time too many.

The lawyers and interns of the Defender's Group are scattered throughout the office. All share the same look of exhaustion, yet they're still glued to thick leather bound books and stacks of paper. A few are gathered in the conference room amid a litter of empty takeout boxes and coffee cups. This is where I find Hillary. She looks up at me with tired eyes and manages a smile.

"I thought you might need some help," I say.

"I'll take all I can get."

"Just point me in the right direction."

"Let's talk first."

We head to the privacy of her office and she closes the door behind us.



“This must be good,” I say.

She shrugs. “All good is relative this late in the game.”

I made Hillary aware of my failed attempt with David but there’s something she hasn’t yet shared with me. One last bit of hope. It comes in the form of the Lieutenant Governor. She tells me of DuPont’s transformation from “eye for an eye” death penalty advocate to compassionate liberal; a position she believes has more to do with re-election than ideology.

Then she drops a bombshell, one in which I’m sworn to secrecy. She tells me that Governor Wilson considers Karl Dutton to be a two-time killer and that any last minute exoneration of his involvement in the death of Virginia Crowley, in and of itself, would do nothing to sway his decision to go forward with the execution. She summarizes it all with one simple statement.

“Karl Dutton’s life may well depend upon the success of the excavation in Burnet County. Poe must lead them to Charlotte Dutton’s remains before the clock runs out. It could be all we have.”

She picks up a stack of papers. “That and a slew of well-researched petitions we plan to submit to the Court of Criminal Appeals every hour from now until six pm tomorrow.”

“How many have you submitted thus far?”

“Thirty. Thereabouts.”

“Has the court responded to any?”

She gives me a dry look. “Thirty. Thereabouts.”

“I see. Well maybe one will stick.”

“We never stop believing that.”

We share a momentary silence, both aware of the direness of the circumstance. I pull out my cell and hold it up, breaking the awkwardness. “Pratt promises to keep me up to speed throughout the dig.”

“Perfect. At the first sign of good news we’ll get DuPont on the line.”

The silence returns.

“No offense, but you look exhausted,” I say.

Hillary runs her hands through her hair. “Geez thanks, investigator.” She smiles.

“So what can a non-attorney do to be of help around here?”

“Two things,” she says without a thought. “You can run hard copies of the petitions to the court as needed so the rest of us can stay on task.”

“You can count on me. What’s second?”

She pulls out her debit card and tosses it on the desk. “There’s a Starbucks on the corner of Sixth. Get as many double espressos as you can carry.”

I get up. “Put your card away. I got this.”

## Chapter 53

The beauty of the Texas Hill Country is threatened by three main offenders: human beings, devastating drought, and Oak Wilt. The latter is caused by the fungus *Ceratocystis fagacearum*, and has been running rampant through Central Texas for the better part of the past decade. When the construction crew of Manley & Sons embarked on the former Poe farmland nearly seven years ago, their initial clearing phase consisted of two edicts; maintaining the land's natural beauty wherever possible and eliminating any and all threats to that end. Oak wilt was considered a primary threat.

On the third day of the clearing phase, Leonard Poe's beloved live oak tree was deemed too fungal-ridden to save. On day four, the hundred-year-old tree was toppled, cut into pieces, and hauled away. The stump was excavated and the hole in the earth was patched with top soil and sod. Though a tree of its girth and height required a permit from the County Arborist Program, no documentation was ever written or filed, a common infraction that typically goes undetected.

Having established the east-west lot lines, Pratt, Warden Stark and their company of elected officials began a two hour search for a tree that no longer existed. Unbeknownst to any of them, Leonard Poe successfully guides them to the exact location of the tree within minutes of their odyssey. It's a patch of land twenty feet off the back deck of Troy and Nancy McDonald's four thousand square foot red brick Tudor.

As promised, Poe brings them to a spot near the northwest corner of the plat, but it falls far short of his description. Poe had described the land as rocky and uneven, this plot is smooth, well-manicured and well-maintained—and there isn't a live oak within fifty yards.

Warden Stark is not at all pleased with his prisoner. "We can't just go digging up someone's lawn on a hunch," Stark barks.

"This is it," Poe responds.

"It sure as hell doesn't look like it."

"Let me walk around. Get a feel of it."

Stark rolls his eyes then motions to a young officer. "Stay with him every step of the way." The officer takes the shackled convict by the arm and allows him free reign to walk in a fifty yard area. The others stand silent observing his every move. Poe walks a wide circle around the lot, stopping every ten feet to observe and consider, each time staring blankly at the ground then turning a complete three-sixty with his eyes cast in the distance. The demonstration goes uninterrupted for fifteen long minutes.

"This is ridiculous," the County Commissioner grumbles loud enough for all to hear.

"You got a better idea?" Stark snaps back.

The City Manager joins in, adding his own two sassy cents. "For starters, maybe we can limit our searches to areas with actual trees."

Stark is not one to give up the last word. "If this county did a better job documenting land development, perhaps we wouldn't be having this issue."

This doesn't sit well. "Let me remind you Mr. Stark, you're in Texas now. We don't particularly care for outsiders passing judgment on our way of doing things. Especially those from Arkansas."

Pratt quells the mounting irritation. "That's quite enough from all of you. None of this gets us anywhere." He looks to Manley & Sons construction manager. "Is there a chance at all that Poe has led us to the right spot?"

He releases a stream of tobacco-laden spit on the ground beside the cart and wipes his chin. "Possible, I suppose, but not likely. We had far too much open land to work without bothering to raze a mature oak."

"But if you did, would that be documented?"

"Of course," he says abruptly but less than convincingly.

Pratt looks to the commissioner for confirmation, the response is telling. "This is private land, Mr. Pratt. We respect landowner's rights out here. We see little sense weighing ourselves down, or them for that matter, with useless bureaucracy like you folk in Austin."

"So no documentation?"

"I suppose I could make some calls," he says, "but I wouldn't hold my breath."

Stark has dropped down next to Pratt. He turns and speaks in little more than a whisper. "I say we just keep searching the surrounding area."

Pratt is disheartened by this. "Please don't tell me you're having doubts."

"No. No doubts. There's a body out here somewhere. I'm just not convinced it's right here." He whistles to the officer escorting Poe and waves them over. "Let's get our boy back over here," he says to Pratt. The officer is quick to shove Poe toward the cart. Stark gets up and orders Poe to sit then drops back down beside him, Pratt pins him in from the other side. "So what do you have to say for yourself?" Stark asks. Poe's demeanor is uncharacteristic. He appears to be a man on a mission.

"We're close. I know we are."

"So what would you have us do?"

"Just start digging."

"I see. And where exactly would you have us do that? Can you be a bit more specific?"

Poe looks in one direction and then another. “Just start digging.”

Pratt wags his head. Stark’s look goes dark, it’s a look Poe has seen a time or two in his eight years of incarceration, one that commands the utmost attention. He shoves his finger in the killer’s face. “Don’t think for a minute you can play me for a fool, boy. Do you understand me?”

Poe nods. He understands all too well from personal experience.

“I’ll turn your pathetic little life into a living hell so fast you won’t know what hit you. You got that?”

“Yes, sir.”

“Now tell me, what makes this spot so darn special?”

“It feels right.”

“I see.” Stark looks past him at Pratt. “Hear that? He says it feels right. Well how about that?” He redirects his glare back onto Poe “Let me be clear, we’re not digging into this yard or any other for that matter based on your feelings. We need a bit more than a misguided sentimental attachment. Understand?”

“I do.”

“Now we’re going to drive around a bit more looking for that big old tree. Once we find it we’ll start to dig. No sooner. No, sir. Understood?”

“Yes, sir.”

“Now point us in a new direction.”

Poe considers the options then points haphazardly toward a wooded area. “Over there...I guess.”

Stark taps the officer at the helm on the shoulder “You heard the man.” He leans forward over the front seat and points north. “Take us over there.”

The cart pulls away slowly, followed by the caravan of officials, media, and one very large backhoe.

The next few hours are not without promise. Poe is quick to find a new oak that catches his fancy and the backhoe makes short work of obliterating the surrounding surface area—but to no avail. And without hesitation or apology Poe shifts his focus to a similar oak not fifty yards away. It’s a routine that continues well into the afternoon, despite the growing impatience among the gathering. Each time, Pratt and Stark dismiss their gripes and carry on. There’s simply no other option available to them.

At four o'clock, Marty Pratt places his second call of the day to Will Hogarth, this one even more disappointing than the first, if only for the sheer reason that time is rapidly slipping away.

At six o'clock straight up, Karl Dutton's Death Warrant is officially signed and the twenty-four hour countdown to execution begins. Every minute from here forward will be dictated by a strict code of protocol. Every detail mandated by the Texas Department of Criminal Justice.

The first procedure is the transfer of the condemned. By twenty minutes after the hour, Karl Dutton leaves the Allan B. Polunsky Unit for the first time in more than eight years. He sits shackled in the back seat of a plain white Ford Econoline van for the forty-five mile trip to the Huntsville Walls Unit, an archaic and shadowy structure as large as a city block, known by staff members and the community at large as the Death House.

Dutton is keenly aware that of the two-hundred men and one woman that have made this trek during his eight years of incarceration, only two have lived to tell about it.

## Chapter 54

Governor Wilson pulls a bottle of aged bourbon from his file drawer one hour into his weekly recap with his Lieutenant Governor.

“A bit earlier than usual, isn’t it, Rhett?”

He fills two glasses and pushes one across the table. “I didn’t figure you’d fight me on it,” he says with a smile.

Howell DuPont holds the glass up. “You figured right.”

The governor rises, walks across the study and crouches down before the fireplace. A crackling orange fire fills the room with the pleasant spoor of mesquite and oak.

“I never understood why people forgo indoor fires all summer long,” he says.

“Perhaps the triple digit heat has a bit to do with it,” DuPont jests.

Wilson looks over his shoulder and smiles. “All the same, I do enjoy a nice fire. Come, have a seat with me.”

DuPont complies, his glass in one hand and the bottle of bourbon in the other. They settle into comfortable buckskin covered armchairs and attempt to quietly enjoy the fire. But there is one matter they have yet to discuss. One that can be ignored no longer.

The week’s hot button issues have been particularly dicey and more social in content than either man prefers. The growing field of gubernatorial candidates has done well to portray both men as closed-minded conservative curmudgeons, beholden to historical trusts and corporations, with little regard for the common working man.

Their indictments are not without substance, albeit highly embellished. Wilson’s recent litigation easing regulations on corporate oil smacks of elitism. His stand against amnesty for established illegals is depicted as cold-hearted, irrational, and most threatening of all, racist. His vocal position on right to life for the unborn is painted as anti-woman and as one candidate was quick to point out, quite hypocritical.

It’s a spin both men have heard a time or two in the past. How can one be so defiant on the rights of the unborn yet turn a blind eye to the plight of the condemned? It’s a paradoxical argument that Wilson views as utter nonsense, but one that DuPont is not so quick to dismiss. And it’s the last remaining issue of their weekly recap.

DuPont refills his glass before raising the issue. He takes a long pull of his bourbon and allows the welcome burn to subside. His lead-in is concise. “What should we make of the recent accusations against Jonathan Moore?”

Wilson responds without hesitation. “Creative? Imaginative? Desperate? Take your pick,” the governor says with a wry grin.”

“Perhaps, but it’s out there. Do you think it’s wise to simply ignore?”

Wilson shifts in his chair then stares down into his glass. “No I don’t, Howell. Any and all accusations of such nature should be thoroughly investigated. Why don’t we put someone on it next week?” He downs the remains and pours himself another.

“And if we find that Moore was involved, what then? What do we tell those who say we killed an innocent man?”

“Do you truly think that’s going to happen? I’ve known Jonathan Moore for three decades. He had nothing at all to do with the death of Dutton’s wife. It’s absurd and baseless.”

“Absurd maybe.Perhaps not baseless.”

“What’s gotten into you, Howell?”

“I feel it’s politically wise to show an open mind, given the growing progressive nature of our constituency.”

“It so happens that the majority of Texans are appreciative of my unwavering conservatism. The ballot boxes are proof enough of that.”

“At least hear the claims from a trusted ally.”

Wilson waves his hand. “Fair enough, my friend.”

The governor allows DuPont ten full minutes of uninterrupted speech to lay out the reason for his new found doubt. He begins with motive, describing the Karaway Holdings fiasco as the beginning of financial ruin for Moore, Halston, and Moore. He moves onto the offer of pro bono representation, describing it as a perfect means of assuring a lax defense. He finishes with a recap of ill-advised trial tactics and eight years of sloppy appeals. When he finally comes up for air the governor offers his first response.

“None of this proves a thing,” he says plainly. “Bad financial decisions and poor legal wrangling does not make one a killer.”

“Surely you can’t completely dismiss such a string of coincidences?”

“There’s plenty I don’t dismiss, Howell, Karl Dutton’s motive for one. As I recall, his ex-wife had recently discovered that Dutton had misrepresented his net worth in divorce proceedings,a discovery Ms. Crowley intended to address face to face. A poor decision, wouldn’t you say?”

“That claim was never substantiated. Many believe it to be unfounded.”



“I see. I’m guessing those doubters and those holding banners on the capitol steps are one in the same.”

“Not all...”

Wilson cuts him off. “The DA’s office presented that information in open court. That type of damning evidence is not allowed without proper and thorough vetting.”

“Unless it goes unchallenged by the defense.”

“Now stop, Howell. Please, just stop. You’re letting the vocal minority get under your skin. This is nonsense. All of it. It is propaganda created by our adversaries to detract us from the important issues at hand, the real issues that matter to the people of this great state. Surely you can see that?” He refills DuPont’s glass. “Now come on. Let’s stay out of this and allow the criminal justice system to do what it was designed to do. Dutton was given ample opportunity to prove his innocence. Saying now that he is innocent is a slap in the face of this state’s justice system. I won’t have it. This two-time killer has made his own bed. There’s no blood on my hands.”

“So there it is again. Two-time killer.”

“Did I say that out loud?” “Surely you won’t deny that such an unproven and widespread belief played a significant role in sealing Dutton’s fate?”

“I’ll admit to no such thing.”

“Not out loud at least.”

A thin smile graces Wilson’s face. “Fair enough. But we reap what we sow.”

Howell leans onto the arm of his chair closing the gap between them. “Tell me, Rhett, what happens if the excavation in Burnet County is successful?”

He smirks. “I’m not sure I would call the discovery of rotting bones a success.”

“You know what I mean.”

He makes a point to look at his watch. “It doesn’t appear that’s going to occur.”

“There’s still time.”

The governor shrugs. “Perhaps.”

“And if they find proof?”

“Ok. I’ll play along. If remains are found, I’ll concede that Dutton may have killed only one ex-wife.”

“And would that sway you to delay the execution? At least long enough to conduct a thorough investigation?”

“No.”

“No?”

“No...I don’t think so.”

“So maybe.”

He tilts his head. “Yes...maybe.”

## Chapter 55

It's after three when I finally lay down next to Lacey. I'm certain it will be much later before sleep finally overcomes me. I can only imagine how restless this night must be for Karl Dutton.

I intend to head to Huntsville sometime in the early afternoon, though I'm uncertain what value there is in simply waiting around until witnesses are allowed entry. Nonetheless, I want to be there in plenty of time. I certainly don't want to risk some unforeseen calamity like a construction shut down or engine trouble en route. Warden Kruger called me at ten o'clock as promised, though neither of us had much left to say. Karl Dutton was in the holding cell with the prison chaplain, one of only two people allowed to be with the condemned during their final hours. The other is the warden. By his own admission, Del Kruger has never sat with the condemned on their final night. Tonight he was making an exception.

At 5pm, Karl will be escorted out of the cell by a five-man tie down team and walked twenty feet to the death chamber. He'll be laid on the gurney and strapped down with enough belts and bindings to secure a full grown grizzly.

Barring any final incoming phone calls, the first of three drugs will be administered by a medical technician at 6 o'clock sharp. The first is a non-lethal barbiturate meant only to sedate, to put the condemned at ease, the second is not so subtle. A potent strain of Pancuronium is injected deep into muscle tissue and begins the irreversible process of full body paralysis. Once satisfied, the technician administers the final and most lethal drug, potassium chloride. Within seconds the heart beats no more.

There are two phones in the chamber, both are direct lines and highly monitored. One connects to the Office of the Attorney General, the other to the governor. Some believe these phones haven't worked properly since 1983. It was then that convicted killer James Autry's life was spared with a call from the then sitting-governor, just two minutes before the first injection. It's nothing more than myth that the phones are inoperable, but the fact remains; they haven't rung since. Certainly never on Governor Wilson's watch.

The long hours of the night will pass with whatever sleep might come and any other number of menial tasks. Most simply talk with the chaplain. Some pray while others use the time to write letters to those left behind.

Del Kruger informs me that Karl has already done all of the above in his first three hours in the cell. The last was a note to the grandson he hasn't seen in over eight years. The chaplain wrote as Karl dictated; his hands too unsteady to write legibly. Del stops short of detailing the letters contents, always the consummate professional.

I ask if I could speak to Karl one last time. Kruger seems pleased. Karl is allowed to make several phone calls, all of which must be made in a twenty minute time period starting at noon. Kruger assures me I'll be on his short list.

I discuss several of the petitions that have not yet been rejected before we conclude our call. It's little more than idle chit-chat, neither of us holding out hope of help from the courts.

Hillary and her crew have spent their second straight night away from the comforts of home. In this final push all motions and petitions are past the state level and filed directly with the 5<sup>th</sup> Circuit Court. Any hope that the Supreme Court will overrule the findings of the 5<sup>th</sup> Circuit is a hope grounded in fantasy and void of recent precedence. The filing continues nonetheless.

At noon, Hillary files a request for reprieve with the governor's office, the third of its kind in as many weeks. Three hours after filing, the anticipated reply came in: Denied.

For my part in the final push, I was little more than a runner between the Capital Defender offices and the courts. But I was a runner with a cell phone. I used my time to the best of my ability. I placed two calls to David Moore. Both went directly to voicemail, seems David pays attention to his caller ID.

I'm well aware David is a dead-end. I had hoped to hear the coward verbalize it directly. I didn't bother to leave a message either time. I'm quite certain he knows why I was calling.

With nothing left to lose, I once again call Richard Halston. To his credit, he not only picks up, but listens to what I have to say. None of it differs greatly from what I had unloaded on him twenty-four hours earlier. This time, however, astonishment is replaced with true interest.

He tells me of his less than convincing discussion with Jonathan Moore and his ensuing failure to determine for certain that Dutton had been a paying customer.

I sense there's more he has to say but he opts to stop there. And that's when I begin to beg. I plead for him to take action on his suspicions before it's too late. I beg him to make the calls that can delay the execution pending further investigation. My imploring tone puts him back on his heels and his manner changes considerably. He assures me the matter will not end here, but there's nothing that can be done in time to save Karl Dutton. He adds dryly, if in fact he truly should be saved.

When I try to respond he cuts me off, telling me it's much too little and much too late. As he hangs up a stark realization washes over me. Perhaps he's right.

## Chapter 56

By morning much of the luster that accompanied the search for Charlotte Dutton's remains has dissipated. The television and newspaper crews from Austin have seen enough. The local officials return to their elected posts. And the Methodist pastor deems that tending his flock is a better use of his time. All that remains are Warden Del Kruger, Assistant DA Marty Pratt and the five man excavation crew.

Given the generous daily stipend the City of Austin is paying the crew, there is little doubt the excavators will stick around for as long as needed.

Details of the prior day's failed digs spread rapidly through the small town, due in no small part to the mayor's uninspiring interview on the local evening news. In a few short sentences he dimmed the glow surrounding the exploration with the harsh indictment that the wild-eyed claims of a convicted killer appeared to be just that, mere claims.

The cold case that intrigued the county for the past weeks now arouses only those in close proximity—most notably; Troy and Nancy McDonald.

Local chatter brought to light the fact that the excavation had shown initial and considerable interest in the couple's back lot. The McDonald's had been out of town at the time. Nancy had spent the day in San Antonio and Troy was on the second day of a three day business trip in Chicago.

Several curious neighbors, however, had been on hand for the day's events, taking particular note of Leonard Poe's interest in the McDonald's lot and his tale of the large live oak tree of his youth, an oak he was certain once resided in the center of a now empty yard.

Upon Nancy's return, the neighbors waste no time sharing what they heard; the tree, its history, and the precise location. It means little to Nancy at first, until further consideration and forethought revives the seemingly unspectacular memory of a failed vegetable garden.

Troy refers to it as his wife's organic phase, a passing moment in time in which his wife was determined to live off the land for the sake of a healthier lifestyle and renewed communion with nature. But the grand experiment never quite got off the ground.

As it turned out, digging a vegetable garden in the middle of a Central Texas yard proved far more difficult than anticipated. In addition to the expected layer of limestone that exists just below the surface, they were also left to contend with the unexpected roots of an old oak tree, a massive web of thick roots that suggested the prior existence of a very old and very large live oak. It was a find that meant nothing extraordinary—until now.

In a late night discussion, Nancy and Troy weigh the pros and cons of revealing their suspicion to the excavation crew. Together, they agree to do what they believe to be right. Unaware of the

urgency of the dig, they agree to discuss the matter upon Troy's return. His flight is scheduled to touch down at the Austin Bergstrom International Airport at a quarter of three. Barring issues with baggage and traffic, Troy anticipates a return time of five p.m.

From there, they will confront the crew together. If the crew so desires, Nancy and Troy McDonald will allow them to tear into their well-manicured lawn.

## Chapter 57

I gave up on sleep after only two hours and headed back to the Defender's office. I spent the next four hours doing everything and anything Hillary requested.

It's now a staff of zombies, but very determined zombies. This is the final push. After this they can sleep for three days without interruption, a promise Hillary continues to verbalize to keep them motivated.

By ten a.m. there are no longer any outstanding petitions awaiting response. All have been addressed. All have been denied.

Hillary shakes it off like a seasoned pro and continues to write more.

Just before noon, I lock myself in a small office and stare idly at my cell. I don't have to wait long.

Del Kruger is first on the line, briefing me on the allowable timetable of the call and requesting that I remain upbeat and unemotional for the duration. He speaks of Karl's death as a beautiful journey and asks that I treat it accordingly. And just like that he passes the phone to Karl.

"Hey, Will."

I sit upright. "Hi, Karl, how are you holding up?"

"Kind of tired actually," he says lightheartedly, "but I suppose they won't need me at the top of my game."

Though I've had more than twelve hours to consider this call, I feel unprepared and lost, so I say nothing. I know Karl senses my uneasiness.

"That money is still yours, Will. You did the best any man can do. My fate was sealed long before you arrived."

I want to tell him I don't care about the money but even more, I'd rather not speak of it at all. Not now, not during our final discussion. If I'm to be totally honest with myself, saying that I don't care about the money is disingenuous, if not completely untrue. So I simply mutter, "OK. Thanks." There's a catch in my throat that I despise, one I thought I could avoid.

He saves me again. "I wrote a letter to Nolan," he says like a beaming child. "Ethan tells me he asked if he could be here today.' Now his voice catches a bit but he collects himself quickly with a deep breath. "I can't begin to tell you how much that means to me. We decided against it, of course, but his spirit will be with me all the same."

"Your grandson will know the truth, Karl. That's my promise to you."

“Thank you. You’re a good man, Will Hogarth,” he says plainly. “I didn’t deserve you.”

“What you deserved was much more,” I say.

This should be an obvious segue to inquire about my findings, but Karl isn’t interested. Far be it from me to once again create hope where so little exists. But I do offer him this much. “My involvement doesn’t end here today. There’s a killer walking free and I intend to bring him to justice at any cost.” There’s no need to mention Jonathan Moore’s name. He shifts gears. “I’ve thought a lot of Charlotte these past few days,” he says. “I suppose I may see her real soon, though I can’t imagine what I might say to her.” He laughs uneasily at his own words. “I really wasn’t much of a husband. Come to think of it,” he says somberly, “she may not want to see me.”

“I’m pretty sure it doesn’t work that way up there.”

“I hope you’re right, Will. I sure do. There’s a lot more folks up there that may not be all that pleased to see I made it in. Not the least of which are your parents.” It’s an awkward comment, better left untouched, but final calls are seldom passive. It’s a no holds barred few moments where nothing is off-limits. “I wish I could have been more like them, Will.”

“How do you mean?” I ask.

“Real,” he says flatly. “Committed to family, community, to each other. That’s how life is meant to be lived. That’s real. We’re all just cogs in one big wheel, some big, some small, but each with an integral role in making the wheel go ‘round. We have a pre-ordained role to play in the big picture. We’re meant to love and support each other, to be there in each other’s times of need without question or desire for gain. When one cog turns his back on the others for his own personal gain, the wheel falters and stalls. That was me, Will. I was a bad cog. All those years I put myself above the silent cogs. I considered them simple and insignificant. I couldn’t have possibly been more wrong.”

“Some die never knowing that truth.”

“Ironic, isn’t it? It took this place to open my eyes. If not for this conviction my perspective would have remained unclear. What’s more, my eternal address would have been in a very warm climate.”

“That’s a beautiful perspective.”

“I guess these years inside were years well spent.”

I hear Warden Kruger prompting him along. Our time is coming to an end. “I’ll miss you, Karl,” I say genuinely.

“Only for a while, Will. I’ll see you on the other side. Live well and be well, my friend.” I hear Kruger mutter a few indiscernible words then the line goes dead.



I sit in silence for several minutes uncertain of how or what I feel. The finality of it all is surreal and unsettling. A second ringing of my phone frees me from my scattered thoughts. It's Marty Pratt.

"Tell me some good news," I say.

"I wish I could. I'm afraid it's just more of the same but we're not giving up. The warden and I both believe Poe is telling the truth, though it's clear that we've become a minority in that line of thinking."

"The clock is ticking fast."

"I know, Will. Believe me, I know." He sighs deeply then responds with difficult honesty. "Will, we need to be realistic about this. At this point, we need help, some way of narrowing the search. Without that, our chance of finding anything in time to sway the governor is delusional. This area is simply too big. Those remains are a needle in a haystack."

I'm distraught but Marty doesn't need to hear that. He's doing his best and doing far more than I could have ever expected from a man who gets his paycheck from the very office that put Dutton in prison in the first place. "We both knew it was a long shot," I say.

"Still sucks."

"Yeah."

"Charlotte Dutton's death remains an unsolved crime, so we'll continue on nonetheless. The crew is contracted for three more days."

"I'll keep my fingers crossed."

"Me, too."

## Chapter 58

Troy McDonald has spent that past three days attempting to land a lucrative contract with Global Tech, a contract that could put his tiny high-tech start-up on the map. But despite some expensive wooing and major butt-kissing he's no more certain of the outcome than he was at the start. His client promised a late night decision,. If all looked good, he'd be the first to know. That was fourteen hours ago. The morning has dissipated and his cell phone has still not rung.

He passes through the TSA checkpoint of the O'Hare Airport beaten and forlorn. That's all about to change.

"Troy?"

The president of Global Tech is seated just beyond the checkpoint slipping back into his shoes.

"Mr. Vonn. I see no one is immune to the rigors of security."

"Glad to do it. Tell me, have you heard yet?" Vonn asks.

"No, sir. Not yet."

Vonn smiles brightly. "Is that so? Well my flight is delayed. How about we grab lunch in the Gold Club?"

"I've got wheels up in thirty minutes."

"Catch a later flight. I've got a feeling you're going to like what I have to say."

"Lunch sounds like a great idea. Let me make a quick call."

Vonn winks. "See you upstairs."

Troy opts to text:

*Good news. Ran into Mr. Vonn at airport. I think we got the contract. Will be late getting home.*

Nancy responds almost immediately.

*Great job! Have a safe flight. Remember tonight was the night we were going to meet with the excavators.*

Troy: *Sorry. Forgot about that.*

Nancy: *Not a big deal. We can get with them tomorrow. Be safe.*

Troy: *Ok. See you around nine.*

Two hours before execution, the accused is served a final meal. Unlike many states, Texas doesn't allow special orders. The next to die eats what every other inmate is eating on that given day.

For Karl Dutton, it's fried catfish, coleslaw, a chunk of corn bread and sweet tea.

I arrive in Huntsville about the time Karl's breaking his final bread. Unlike my previous visits this one is void of the hope and expectation. I know precisely what will take place each and every minute from now until Karl expels his final breath.

I opt to forgo my usual visit to the Café Texan for lack of appetite and head directly to the Walls Unit.

I'm uncertain if Ethan is nearby. I've made no effort to contact him in this final day, allowing him the space to handle this matter in the way he sees fit. If he wants my company, I'm only a phone call away. Given the fact that he hasn't called, it's clear he prefers to be left alone.

There is no common protocol for handling the execution of a relative or friend. We're each left to come to terms with it in our own unique way. For some, viewing the death brings closure, while others prefer to be as far away as possible. Quite often the choice is made in the final day. For the moment, I'm uncertain what camp Ethan has chosen.

Dark clouds from the east have made their way into town and cast an ominous feel over the saturnine red brick walls of the penitentiary. There's a feeling of death that surrounds this structure, one that permeates the walls and escapes into the adjoining grounds. If you're lucky it merely sticks to your clothes and lingers on your skin. If you linger too long it infiltrates your crust and seeks out your soul.

The guards and administrators in this facility are my comrades and contemporaries in law enforcement but our routines could not be more different. I wouldn't last a week in this hell hole. I can't help but wonder if the dreary and morose architecture is an intentional part of the grand design, one in which the state of Texas has made no attempt to alter since its construction more than a century and half ago. This is the Death House after all, a final resting place for the worst of the worst, a prelude to Hell for most, Karl Dutton notwithstanding. I suppose there's little sense in sprucing up the gateway to the underworld.

It occurs to me that I've witnessed no arranged protests in or around the penitentiary grounds. The enthusiasm I witnessed on the capitol steps just one week ago, is all but absent in this quiet bedroom community. Just another day. Just another death.

With ninety minutes remaining, I enter the facility and declare my intent to witness the execution. I'm checked in and escorted to a holding room with the others, two others to be exact.

I soon learn that they're nothing more than volunteers from the community, on hand to serve as witnesses. We make small talk but sit in silence for most of our time together. I have no interest in getting into my relationship with Karl and I doubt they care one way or another. I get the sense this isn't their first rodeo. They're here for the show.

Of course, this isn't my first execution either, though it's apparently going to be the first one that I'll witness without defense attorneys by my side. That, in and of itself, is quite telling, and pitiful.

Jonathan and David were obvious no-shows, but Richard or at least one of his many underlings should be on hand for Karl's final moments. It's a disgusting and unforgiveable lack of decorum.

With twenty minutes remaining an attorney does enter the waiting area, one I rather hoped would be on hand. Ethan Dutton enters the room and sits down beside me.

"Glad you're here," I say.

He nods. His demeanor is not at all the same as the Ethan I first met. He's distraught and unsettled. By the look of his reddened eyes, I believe they've been affected by a steady flow of tears. I place my arm on his shoulder as a guard enters the room.

"You may enter now," he says solemnly.

We enter the adjoining room and the door is sealed shut. The guard remains with us.

There are no chairs in the viewing area and really no need. Executions seldom last more than twelve to fifteen minutes. The room is completely barren, four concrete walls, one with a window cut into it. For the moment, a drape covers the window but that changes almost immediately. The drape is pulled back without warning revealing the sterile and simple death chamber. My eyes fixate on the gurney and the myriad of straps hanging from its side. It's all very surreal—and very unjust.

## Chapter 59

Governor Rhett Wilson and Howell DuPont are huddled in the mansion study watching the minute hand on the mantle clock climb to twelve. DuPont has made a final and unsuccessful pitch for a reprieve and has now resigned himself to the inevitable. At exactly five-fifty, the governor's secretary enters the room.

"There is someone here to see you, sir," she says.

"No visitors, Maggie. Not now."

"He's says it urgent, sir."

Governor Wilson sighs. "Who is it?" he asks, agitated.

"It's Richard Halston."

## Chapter 60

At precisely six o'clock Karl Dutton enters the death chamber escorted by the five man tie-down crew, a prison guard, Warden Del Kruger and the prison chaplain. I feel a mild burn in my gut at the site of Karl. This is all really happening.

Karl hesitates in front of the gurney, as most men do, keenly aware it's a bed from which he'll never arise. He instinctively gives a searching glance toward the viewing room before a guard hastens his approach with a light push. He lies down without incident, even spreading his arms out onto the extensions without assistance. The crew wastes little time doing what they've been retained to do. They quickly but thoroughly strap and buckle Karl tight to the gurney. Satisfied with their efforts, they depart, leaving only the warden, the chaplain, and the guard inside.

Ethan is stone-faced beside me, his eyes fixed on the father he had only just begun to know before this terrible injustice pulled them apart. There are no tears now, just a defeated look of acceptance, contented perhaps by the knowledge that he did all he was asked to do to aid in his father's plight. I'm certain it does little to ease the pending loss.

I wonder about the others, about Hillary and her crew, the ones who put forth such a monumental effort in hopes that this moment would never come. They know now that their efforts have all been for naught.

And what of Howell DuPont? Did he fight until the end? Did he plead with Governor Wilson until the last possible moment? Or had the Lieutenant Governor's show of compassion been nothing more than that, a show, a sham as it were, a political maneuver for the Capital Defender Group in hopes of garnering progressive support?

What I wonder most is what could possibly be passing through the minds of Jonathan, David and Elizabeth. Is Jonathan toasting his victory with a raised glass in some upscale Chicago restaurant, his contemporaries around him fully unaware that another is minutes from dying for his heinous act? Is there even the slightest twinge of guilt in his heart?

And what about his spineless son? Is David aware of the time of day and the significance of this very moment? Or has he made his daily patronage to the Brown Bar to mingle with the city's young politicians, lobbyists, and attorneys in hopes of landing his latest conquest?

Then there's Elizabeth, the one who may just get away with it all, secure in the fact that her dead ex-husband was her only real threat of exposure. Jonathan cares too deeply to allow her to take the fall. Any claims by David could be easily dismissed and denied. I imagine she's off somewhere closing another deal or planning another trip. Karl Dutton is the furthest thing from her mind.

*Enjoy it now, but rest assured, none of you are done with me yet. Not by a long shot.*

Warden Kruger clutches Karl's hand and mouths the words the preacher is reading aloud from scripture. Karl is miming along with them, each doing well to show no concern for the medical technician tightening a tube around Karl's forearm and seeking a useful vein.

At five minutes after the hour, the technician forces a syringe of barbiturate into Karl Dutton's arm. The process of dying officially begins.

Ethan's head drops to his chest, but only for a moment. With a deep and determined breath he looks up, resolved to witness his father's final moments.

The trio inside continue with their reverent supplication as if nothing has changed, dogged in their intent to send Karl to eternity with a prayer on his lips. But Karl is already fading. His eyes crystalize and his mouth no longer keeps pace with the warden's. All movement in his extremities, voluntary or otherwise have ceased. The process is moving forward with textbook perfection.

Karl appears unaware and mercifully peaceful as the technician prepares the second syringe. The first injection was little more than a mandated show of humanity, needless in the overall sense of the procedure. One that may well have been eliminated if not for the political pressure of the ardent anti-death activists.

I'm thankful in this moment for their relentless efforts. But this is where their triumph ends and reality takes hold. The paralyzing pancuronium is next.

The technician pulls back the plunger of the syringe, taps the barrel three times then places the needle on Karl's forearm. She looks toward the guard. With his nod of consent, she pierces Karl's skin and depresses the plunger. His limp body stiffens violently from head to toe, his chest expands and his back bows as the drug begins to paralyze his heart. His open hands are now clutched tight, the right one wrapped tightly around the warden's.

It's an awful sight by any account. But it will be over soon—very soon.

For the past four weeks the racing clock has been my rival. Here and now I wish it wings, but as I drop my head, the most unexpected sound pierces the silence—the ring of a phone. The governor's phone.

All eyes but Karl's move to the guard with stunned silence. And all I can think, all I know is it's "too little, too late."

Eight years, six months and fourteen days of stubborn-headed inaction and now this, two minutes too late. A cruel joke at best.

Thanks for nothing.

I walk the short distance from the parking area to the gravesite with Ethan by my side. Ethan has brought flowers to place beside the headstone. Two men near the grave fussing with the appearance of the plot. Landscape workers I suspect, one standing upright tending to the grass, the other in a crouch. I hear the buzz of a weed-whacker as we approach.

We're here on Ethan's request. He thought it might be nice for us to visit the grave together. It's been nearly a month since that overcast and dreary day in Huntsville. The subsequent days have been a whirlwind of activity, not the least of which was the apprehension of Jonathan Moore on an Illinois highway as he raced north toward Wisconsin and territories beyond.

Most believe he was exiting the States on news of Richard Halston's damning and plausible accusation against him, headed toward Canada with plans to hunker down until the smoke cleared, or perhaps to start anew, with a new name, a new past. But Jonathan rebuffed these allegations, called them sheer nonsense then subsequently denied any and all wrong doing. The courts bought none of it.

The highly-regarded criminal defense attorney was taken into custody and a record-setting bail was set. It was the belief of many, myself included, that the court's opinion was tainted by the knowledge that the accused was content to let another die in his place.

In the weeks to follow, the full picture came to light with the media latching onto every new morsel of information. With the resources of his firm no longer at his beck and call, Jonathan Moore was left to seek outside counsel. The blatant shunning of his partners and his able staff spoke volumes to the public as a whole. But the prosecution still needed more.

The DA's office assigned Marty Pratt as lead counsel. He was quick to bring me on board. Together we leaned on David Moore and Elizabeth Crowley, fully believing that David aided in the cover-up and Elizabeth was complicit in the crime.

David was at first reluctant to turn on his father, despite the glaring allegations against him. It seems he could learn to forgive the murder of his lover, but learning to live without the privileges and luxuries that come with partnership in a law firm was inconceivable.

He was well aware that the conviction of his father for such heinous acts would lead to an immediate and humiliating disbanding of Moore, Halston, and Moore. What's more, the fair weather members of the State Bar would be quick to turn their backs on the once beloved defense attorney and forever avoid so much as a whisper of the Moore name in civilized circles. David would be ruined by association, never again enjoying the undeserved fruits of success. So he opted to remain silent, offering no admission of his father's guilt—at least not at first.

We moved onto Elizabeth with all guns firing. But our aggression proved unnecessary. Once we had Jonathan's partner-in-crime in custody, she chirped like a bird. Fearing the betrayal of her former lover, and against the advice of counsel, Elizabeth copped a plea deal with Marty Pratt. As it turned out, the successful broker was highly meticulous with regard to her financial transactions, especially those that might one day serve her well. With a written promise of a reduced sentence,



Elizabeth provided documented proof of her transfer of five-million dollars into Jonathan Moore's Cayman Islands account just days before Virginia Crowley's murder. As for the murder of her ex-husband Curtis, she continues to deny any and all involvement.

With the deck stacked so heavily against his father, David re-thought his self-serving position and turned against the man who murdered his lover. But timing is everything. With Elizabeth's confession and the damning evidence against Jonathan Moore, we no longer needed David's confession. It now served only as a self-indictment. David was booked on obstruction of justice and currently awaits trial.

The morning after the scheduled execution, Richard Halston's office at Moore, Halston, and Moore was packed up and cleared out. But the boxes won't stay sealed for long. I'm told Richard is enjoying a much needed sabbatical in the British Isles, miles away from the media circus in Austin, Texas. Upon his return, he'll unpack his things once more in his new office at Freidman, Carpentier, Murray and Halston.

As for Hector, it's going to take more than a couple of bullets to keep him down. After a week in the Seton Hospital ICU, and two more weeks in a private room, Hector Flores walked out of the front entrance of the hospital on his own accord.

The full Hogarth crew and Ethan Dutton were there to greet him. As expected, Hector appeared ready to get back to work, but the doctors would hear nothing of it. They prescribed a rigorous therapy schedule and six months of weekly checkups, assuring their well-liked but stubborn patient that adherence to the schedule would all but assure a full and complete recovery.

As we come up on the grave, the maintenance workers instinctively move on. I'm taken by the simplicity of the headstone, more a marker than a shrine. Karl insisted on it. The deceased has moved onto greater glory, all earthly glory has faded away.

Blades of fresh cut grass cover half the stone, revealing only the surname; DUTTON.

Ethan crouches with flowers in hand and wipes the stone clean. It's a long anticipated moment but one both Ethan and I thought would never come. There's little sorrow here today, rather acceptance and closure. A long journey has met its end.

After several minutes of quiet reflection Ethan places the bouquet of flowers atop the small headstone, just below the name of the deceased, then leans forward and gently kisses the hard stone. The etching is simple. The date of birth and death is inscribed at the bottom just below, *You will be forever missed*. The name is etched in all caps at the top:

CHARLOTTE DUTTON

He backs away and stands beside me. "Thank you for this, Will."

"I was just one among many."

“An important one nonetheless. Your reluctance to quit is why we’re here today.”

I nod. “I only wish justice would have been served. Hard to punish a man already condemned.”

“It’s more about closure than justice,” Ethan says. “Always has been. Now everyone knows that my father is no killer. Come to think of it,” he says with a smile, “that’s closure and justice all wrapped in one.”

A month prior to his father’s execution date Ethan Dutton had booked a three day father-son deep sea fishing charter off Galveston Bay. Three days in the bay and open waters of the Gulf of Mexico would serve them well following their devastating ordeal. But now Nolan was casting his line without his father. And neither was troubled whatsoever by the change of plans.

A full day in the bay produced a cooler full of red snapper and grouper, but that was mere practice for what’s to follow. On day two the charter passes through the Port of Bolivar to the cool deep waters of the Gulf, the home of cobia, blacktip sharks, tarpon, and the elusive swordfish. Here’s where the gamesmanship truly begins. A wager is made between Nolan and his mate for the day’s first tarpon—two hours into the gulf Nolan’s line begins to bow. This is far from his first experience with a rod and reel—he knows there’s a tarpon on the other end of his line. With skilled precision he allows the fish to consume the bait before setting the hook, counting patiently until the moment is right. “One thousand one, one thousand two, one thousand three.” Nolan yanks the rod back and the massive fish springs from the water and begins to flop side to side. He reels in bit by bit, allowing the hundred-pounder to wear down. The fight goes on for a full twenty minutes, but the outcome is never in doubt. Nolan is near exhaustion as the crew pulls the tarpon onto the deck. He tosses his rod aside and raises his weary arms in victory. “Pay up, old man,” he says.

Karl Dutton digs into his pocket and pulls out a single dollar bill. “I suppose you earned it...,” he says, he hands the money to his grandson with a feigned look of defeat. “...but I’ve seen bigger.” As Nolan reaches for the bill Karl takes him by the arm and pulls him in tight. They hug good and long “I’m proud of you, boy. You’ve really turned out good.”

“I’ve got good genes, gramps,” he says, still embraced. They separate and Nolan levies a new challenge. “How about we up the ante?”

“Sure. What are you thinking?”

“Double or nothing for a swordfish.”

Karl smiles brightly. “You’re on!”

## Chapter 61

Pancuronium bromide can take as little as two minutes to bring on full muscle paralysis in a normal sized individual. During an execution, once the subject is deemed to have lost all control of skeletal muscles a lethal and irreversible dose of potassium chloride is administered. Karl Dutton was less than a minute away from receiving this final injection when Governor Rhett Wilson placed his call to the Huntsville death chamber. A call prompted by a guilt-stricken Richard Halston. Despite what I thought had been a failed attempt to stir Richard into action, his conscience eventually turned on him. The overwhelming evidence against his partner was simply too much for the stalwart defender of justice to bear. And his ensuing act of courage effectively corrected an eight-and-a-half year injustice.

Karl stayed true to his promise of returning the money that had once belonged to my parents. Seven-hundred-and-fifty-thousand dollars was wired into the Hogarth bank account with no strings attached. A posthumous gift from my parents, not Karl, a point he was insistent upon.

With the threat of Brajko Markovic now behind us and sufficient means at our disposal, I've promised Lacey and the kids to take a six month sabbatical. The case now belongs to Marty Pratt and his colleagues in the DA's office. My work is done.

For the first time in nearly a year, my focus is going to be set entirely on two beautiful children and the incredible woman who was willing to give her life for the sake of her family. Something tells me we're going to be alright. And I for one am looking forward to a bit of long overdue normalcy in the Hogarth house. At least one can hope..."

End.

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