

## **Until Murder Do Us Part**

TREG JULANDER

Published by Parables at Smashwords

Copyright © 2014 Treg Julander

Twitter @TregJulander

Facebook: <https://www.facebook.com/LegalThriller>

Website: [www.TregJulander.com](http://www.TregJulander.com)

LinkedIn: <https://www.linkedin.com/in/tregjulander>

Email: [treg@rocktalehour.com](mailto:treg@rocktalehour.com)

Smashwords Edition, License Notes

This ebook is licensed for your personal enjoyment only. This ebook may not be resold or given away to other people. If you would like to share this book with another person, please purchase an additional copy for each recipient. If you're reading this book and did not purchase it, or it was not purchased for your use only, then please return to [Smashwords.com](http://Smashwords.com) and purchase your own copy. Thank you for respecting the hard work of this author.

ISBN: 978-1-4276-9636-6 paperback

ISBN: e-book

Cover art: Cindy Canizales

Parables

10829 Dublin Road

Walkersville, MD 21793

[parables@parablespub.com](mailto:parables@parablespub.com)

[www.parables@parablespub.com](http://www.parables@parablespub.com)

For Jenny, Maunia, and Sierra,

without sufficient words to express  
the depth of my love and admiration

*To die, to sleep;*

*To sleep, perchance, to dream; ay, there's the rub,*

*For in that sleep of death what dreams may come*

*When we have shuffled off this mortal coil.*

*Hamlet, Act III, Scene I*

## ONE

“Michael,” Helen said, and jostled her husband, who was tossing and turning in the bed next to her. “You’re talking in your sleep again.”

Mike flailed his arms and legs, flopped onto his side, and drifted restlessly back to sleep.

▪

**Mike huddles quivering under a canopy of giant ferns. His shredded Armani suit pants expose a long, straight gash on his calf. Pain throbs to the beat of his pounding heart. Sticky red blood saturates his shoes. His spent body gulps the tropical air and twitches erratically like a wounded animal wary of the predator coming to finish off its prey. He grits his teeth at the intense pain, knowing that the slightest noise will again disclose his hideout to the assailant.**

**The stench of a rotting corpse burns his nostrils and strikes fear throughout his trembling limbs. The beast is near again. Mike staggers to his feet and swoons from the loss of blood.**

**He lumbers through the brush, and a soft, shimmering light appears floating above the ground. Mike edges closer, favoring his wounded leg and checking over his shoulder for the dark creature. He parts the branches of a ficus tree and sees an image of his wife. She is suspended in the air and glowing softly like an apparition.**

**He draws nearer, surprised and apprehensive. “Helen? What’re you doing here?” Mike’s words crack with fear at the approaching danger.**

**“I could a tale unfold,” the radiant figure says, “whose lightest word would harrow up thy soul.”**

**Mike wipes his sweaty face with his bloodstained fingers, painting a red ribbon across his forehead, and wonders if this is an illusion conjured from the jungle heat. The black**

menace approaching them is real, however, so close now he can feel its stinking breath upon him. In a hushed but urgent voice he insists, “We’ve got to get out of here.”

“Adieu, adieu, adieu. Remember me.”

The specter vanishes as mysteriously as it appeared.

A murder of crows scatters from the trees behind him, and Mike freezes in terror.

*Ching.* The beast’s heavy broadsword, like a reaper’s scythe, clears the thick boughs at Mike’s back.

Adrenaline courses through Mike’s body. He dives headlong into the brush, fighting his way through the thicket, pushing and tearing at the vines and limbs that slow his flight. The black creature’s heavy footsteps pound the ground in steady pursuit. With a frightened glance over his shoulder, Mike catches a glimpse of the evil pursuing him—its black leathery hide stretched tight over a burly eight-foot mass, narrow eyes glowing amber like molten steel, gnarled bull horns protruding from the sides of its head, and long, razor-sharp fangs blackened with the rotting flesh of recent prey.

In utter horror, Mike tears through the foliage. The behemoth is closing fast. Mike sees a clearing suddenly appear, and he bursts through the last vegetation. It’s a cliff. He panics and scrambles to the ground to catch himself, but his momentum carries him over the edge of the steep ravine. He slides slowly into the dark abyss and claws frantically at the rocky ground. With his last ounce of energy he clings in desperation to a stocky root.

Blood streams down his dirt-covered arms. The earth shakes from the approaching beast. And Mike begins to feel his aching fingers being pried from the rhizome. Just when he can’t hold on any longer, his wife’s apparition appears again projected on the root.

“Michael!” She screams and claws at his hands that grip the root. “Let go of me. Now!”

“Let go of you?” He stares in horror at his hands clasped tight around Helen’s throat. She is crying uncontrollably and gasping for air.

“Michael. Let go!”

His fingers slip from the tree, and he falls backward into the bottomless chasm, his bloodied hands reaching out to his wife.

▪

“Helen.” Mike jerked his eyes open. He bolted out of bed, bathed in sweat and breathing heavily. *Another nightmare*, he thought and flipped on the light switch. Helen was sitting up in bed gasping. Her face was red, and she was massaging her throat.

“You choked me,” she said, then broke down crying.

Mike looked in horror at his sobbing wife. *That was real. What have I done?* “Helen, I’m sorry, I—”

“You could have killed me.”

“Sweetheart, I’m sorry,” Mike said, and sat back down on the bed next to his wife. “I was having another nightmare. This monster chased me over a cliff. I thought I was holding on to—”

“What’s happened to you lately?” she pleaded through reddened eyes. “You come home late with lipstick on your neck one night and try to strangle me the next?”

“You have to believe me. I was dreaming. And let’s not get into the lipstick incident again.”

“I don’t know what to believe anymore. For all I know you were probably fooling around in my own home while I was at my parents’ this summer!”

“How can you even—”

"I think you'd better sleep on the couch tonight," Helen said.

Mike hesitated. "I'm so sorry." He stroked Helen's long, brown hair.

The baby monitor crackled to life with the sound of their daughter wailing.

"Just get out," Helen ordered, and waved her husband off.

Mike walked down the dark hallway to the baby's room, his body still shaking from the nightmare.

"Hey, Victoria. Did we wake you?" He lifted the weeping toddler from her crib.

"Hi, Daddy." She rubbed her moist eyes with her small fists, snuggled her red face into her father's chest, and immediately calmed down.

"Are you wet?" He felt his daughter's diaper through her fuzzy, pink sleeper.

"Huh uh."

"It's okay now. Go back to sleep."

"Love you, Daddy."

"I love you too, princess." Mike rocked Victoria gently in his arms and shuffled rhythmically around the room as he softly sang "Let It Be" to her. Soon she was fast asleep again curled up in her daddy's arms and purring like a kitten. He placed her tenderly back in the crib, tucked the covers around her tiny body, and padded toward the door.

Mike brushed past the dresser and, in the dim light from the Mickey Mouse lamp, caught a glimpse in the mirror of his reflection like a ghost staring back at him. He took a deep breath, picked up a small, framed portrait of his wife and daughter, and exhaled slowly. "Oh, Helen. I'd better get some help before I kill you."

## TWO

A burst of cool air chilled Craig Stone's face as he spun through the brass revolving door of the Washington, D.C., office building and marched toward the elevator. His longtime friend and colleague, Mike Kingston, held the elevator door open for him. Craig's pretty-boy face was neatly shaved, and his cropped, chestnut hair was fashionably textured with styling wax.

"What's up, Bro," Craig said in a gravelly morning voice.

"Hey," Mike responded, appearing distracted.

The elevator chimed as it passed each successive floor.

"Thanks again for dinner Saturday night," Craig said. "You obviously didn't marry Helen for her beauty alone."

"Sure."

Craig studied his friend for a clue to his unusual agitation. "Partnership Committee meets Wednesday, huh?"

"Yeah, I'm nervous because I've been getting a lot of heat on the Kidz Play case."

"I guess you're under just a little bit of pressure," Craig said as the elevator slowed its ascent.

"It's a nightmare."

The elevator stopped on the top floor, and the doors opened onto the offices of the venerable Washington, D.C., law firm, Baker, Williams & Levine, which had hired Craig and Mike fresh out of law school seven years earlier. "BW" was a small, conservative K Street law firm stacked with elite Washington power brokers and founded by Warren Baker, Abraham Williams, and Ira Levine.

Mike and Craig stepped off the elevator and into the BW office, opulently trimmed to receive the daily procession of Washington royalty and corporate executives. A congressman, waiting to meet Abe, perused the morning edition of *The Post* while resting comfortably on an Italian-leather sofa.

Perched behind the elegant reception desk was Diane Stratton, the firm's twenty-seven-year-old receptionist, whose beauty and style perfectly complemented the rich decor. With her slender figure and designer clothes, she could easily be mistaken for one of the models in the *Glamour* magazine in her handbag. Diane had been with the firm for only a few months—just long enough for all of the single men in the firm to strike out with her.

"Good-morning, Diane," the attorneys greeted her together. Craig, one of the strikeout victims, sported a determined grin.

"Good-morning, *Michael*." Diane flashed her perfect white teeth at Mike and eyed his tall masculine frame, dark complexion, and wavy brown hair. She twirled her long blonde locks around manicured fingertips. "How's Victoria?"

"She's growing so fast," Mike responded. "Last night she said I was her 'favorite boy.' It melted my heart."

"She calls 'Uncle Craig' her 'boyfriend,'" Craig interjected.

"That's so adorable," Diane gushed at Mike. "You need to bring her to the office, so I can meet her."

"Great idea, Mike," Craig said. "Have *your wife* bring Victoria in."

"You're so sweet, Diane." Mike gave the receptionist a knowing smile and sauntered toward his office.

Craig sneered at his buddy and wandered down the hall. *Mike didn't seem anxious about the partnership vote, Craig thought, while he was flirting with the receptionist. I'm sure he does it just to spite me because I know how deeply he loves Helen. And why is Diane wasting energy on the married guy when the total package is right in front of her?*

▪

The hallways of the firm were arranged in a horseshoe from the reception area. The library, staff offices, and secretary carrels were on the interior, and the attorney's offices were on the exterior. The named partners had spacious offices with views of K Street. The associates had views of the alleys. The corridors were adorned with classic Washington scenes—oil paintings commissioned of renowned international artists.

Mike greeted all the staff and attorneys by name as he followed the hallway around to his office located near the bottom right of the horseshoe. Mike's secretary, Grace Reed, flagged him down as he arrived at his office door. Grace was a plump, middle-aged, African-American woman from South Carolina.

"Hey, Big Mike," Grace said with a Southern accent undimmed by her decades in Washington. "Randy's been trackin' you like a hound dog since 7:30."

"Kingston," Randall McKenzie bellowed from down the hall.

Grace took Mike's briefcase and pushed him toward the senior partner's office on the K Street side.

Mike worked his way through a maze of bankers boxes stacked four high and found Randy editing a brief with his feet up on a cluttered desk, covered with a flurry of papers and old Styrofoam coffee cups.

“Warren’s on his way to discuss the Kidz Play case,” Randy said. He kept his head down and took a bite from a chocolate doughnut.

Mike winced. Warren Baker had reprimanded him before about the firm’s costs on Mike’s contingent-fee case. And it was a bad sign that this was on the managing partner’s mind during the week of Mike’s partnership vote.

“He’s very protective of the firm’s reputation,” Randy continued. “And he’s concerned about the publicity you’ve been generating since the medical malpractice case you tried for the city’s legal clinic last year.”

“The Perez case?” Mike asked. He reflected on the chain-smoking Latina immigrant who got second-degree burns when she mistook her doctor’s advice to use Vaseline to moisturize her severely chapped lips. She used “gasoline” and lit a cigarette. “I figured all that time I volunteered and all the press we got winning that pro bono case would help my partnership chances.”

The silver-haired named partner strode into the office, and Mike and Randy snapped to attention.

“When are we going to see some progress in this toy case?” Warren asked. “The firm already has over a hundred thousand dollars invested in this litigation.”

“I’ve got six kids with permanent disfigurements,” Mike began.

“Let’s be honest, Mike,” Warren interrupted. “They cut their fingers. Baker, Williams & Levine represents Fortune 500 companies. Show some good judgment and leave the hurt kids to the ambulance chasers.”

“Hurt kids deserve good attorneys too,” Mike said. He was shocked by his own boldness, and Randy’s eyebrows were raised too. “Besides, Kidz Play made last-minute design changes that made the toy dangerous. After I depose their design engineer tomorrow, we could be looking at six figures per child.”

“You’ve done a lot of good work for this firm,” Warren said. “Are you sure you want to risk your future on a defective toy?”

Mike took a deep breath and considered whether it was worth potentially derailing his career to keep the promise he’d made to zealously represent his young clients. “Yes, sir,” he finally answered.

“So be it. We’ll give you a *little* more leash. Randy, I want you to closely monitor the costs on this case.”

Randy nodded his head and said, “I have complete confidence in Mike.”

“Then let’s tear these toy makers apart,” Warren said, and marched away.

Randy brushed the crumbs from his brief. “I don’t think I need to explain,” he said, “how important it is to make something happen before the partnership vote on Wednesday.”

“Thanks for your support, Randy. I’ll make you proud,” Mike said, and showed himself out.

Mike had been obsessing about the partnership vote for months. He generally thought his exceptional academic history—fourth in his class at George Washington University Law School and a degree in Classics and English from Oxford—combined with the seventy-hour weeks he’d worked for the last seven years made him a strong candidate. And he’d risen so far from his humble beginnings as a farm boy in rural Utah to become a young star of the D.C. Bar. But pondering Randy’s comments as he walked back to his office made him think the partners would only be asking themselves, “What’ve you done for me lately?”

Dutifully, Mike settled into his high-backed leather chair to continue preparing for the deposition of Kidz Play’s engineer the next day. He turned the power on to boot up his laptop

and played an old Pink Floyd CD in the background. He reached for his favorite pen in the holder next to his phone, but it wasn't there. He checked his top drawer. Nothing.

The pen was a sleek black Montblanc ballpoint, a gift from his dad for passing the bar. It wasn't expensive, by K Street standards, but to him it was invaluable as a daily reminder of his late father.

"Grace, have you seen my pen? You know, the one from my dad."

"Your pen?" his secretary called back to him. "I have a hard enough time minding your work, time sheets, and calendar, and now you want me to keep track of your pens too. You are one goose short of a gaggle this morning."

Mike chuckled. "A simple no would suffice." He wrinkled his face, made a mental note to search for his pen later, grabbed an inferior ballpoint, and went to work tagging deposition exhibits.

Kidz Play was the manufacturer of the Samurobot, one of the top-selling electronic toys last Christmas. The Samurobot was a fifteen-inch-tall, battery-operated, plastic robot that looked like a samurai warrior with red, illuminated eyes and a plastic sword. Its arms could swing in any direction in combination with a torso that could rotate 180 degrees.

The Samurobot was special, however. Its optical sensors could identify roadblocks and walk around them. It also could pursue an object "tagged" with a small adhesive transmitter moving in front of it. But the toy was such a hit because its radio receiver could detect when another Samurobot was within three feet. The two would then engage in combat, swinging their swords and twisting their bodies until one of them knocked the other down.

Parents snatched them up in pairs despite their \$150 price tag. Kidz Play couldn't keep up with the demand, and they ultimately sold over four million before the hysteria ended.

About two weeks after Christmas, Mike began to hear about injuries caused by the toy. The daughter of a friend grabbed her flailing Samurobot from behind, and it clamped down on her thumb. The Samurobot would not release or shut off but kept ratcheting down on her hand until she smashed the toy on the ground. The impact lacerated the tip of her thumb and crushed her fingernail. Six Washington-area families with children who had been permanently disfigured by the toy joined in hiring Mike to sue Kidz Play. Mike convinced the firm to let him take the case on a contingent-fee basis, and he quickly filed a products-liability lawsuit against Kidz Play in D.C. federal court.

Three other national law firms subsequently filed class-action lawsuits against Kidz Play and were competing to certify a nationwide class. Mike had not yet been able to convince the BW partnership that the case was valuable enough for them to compete to be class counsel. And he faced a steep hurdle because such a class action, with an estimated two thousand class members, could cost several million dollars to pursue.

Mike took a stack of documents from a bankers box on his worktable and continued searching for potential deposition exhibits. This was the last of twenty-seven boxes of engineering reports, design plans, and accounting statements that he'd spent the last two weeks examining. He sat back into his chair, put his feet up on his desk, and tried to review some financial statements. But the haunting image of his hands around his wife's throat tormented him. He turned up the music to distract his possessed mind.

Laura Ashton, an attractive but tomboyish paralegal with short ash-blonde hair, appeared in Mike's doorway. "Wish you were here," she announced.

"Huh?" Mike started. "Oh, Pink Floyd."

“Is this the last box?” she asked. Laura had spent two months indexing the documents and could appreciate Mike’s efforts more than anyone.

“Finally.” Mike sighed. “I can’t figure out what they’re trying to bury with all this garbage.”

Laura grinned. “Time for lunch today?”

“On a weekday, when the staff might see us?” Mike smirked at the paralegal.

“You know what I think about the office gossip,” Laura said.

“I would if I were ready for this deposition. Later this week?”

“Don’t keep me waiting too long.” She waved her finger at him as she wandered out the door.

Mike laughed and went back to work.

▪

Detective Frank Jarek scowled as the jury reentered the Northern Virginia courtroom. He clenched his thick fingers and eyed the accused, an arrogant George Mason University student accused of sexually assaulting a blind girl in the bathroom at the campus aquatic center. The suspect and his public defender arose at the judge’s command and faced the jury.

Karen Davis, the golden-haired prosecutor from the Fairfax County Commonwealth’s Attorney’s office, stood confidently behind the prosecutor’s table on the left. Detective Jarek watched her make eye contact with each juror and smile gratefully when they returned a unanimous guilty verdict for her.

The student winked at Karen as the bailiff cuffed his wrists. “I guess I’m going away for a little while,” he said to the prosecutor and peeked down her silky white blouse. “Maybe I’ll give you a call when I get out, and we can go get a drink or something.”

“Get some help,” Karen said, and brushed past the man on her way to the jury box, where she thanked each juror by name.

Detective Jarek stood behind the bar and looked on with his arms folded across his bulky chest. “Good work, councilor,” he said when Karen returned to collect her bag.

She turned on the detective with fury in her sapphire eyes. “Your coerced confession almost ruined my perfect record.”

Jarek didn’t flinch. “We got the guy off the street, and that’s what matters.”

“You’re lucky I found that geotag on the cell phone picture he took of the victim just before the attack, so we could place him at the scene.”

“And now we’ve put another moron behind bars.”

“One of these days you’re going to encounter a smart perp,” Karen snarled, “and your lazy, bullying tactics will let him get away with murder.”

“No criminal ever has or ever will outsmart me,” Jarek blustered, as the prosecutor stormed past him.

▪

Hours expired as Mike sat studying the documents, carefully poring over every page. At times the tedious review seemed like a waste of energy. But he frequently reminded himself of his young injured clients and recaptured the inspiration to push forward.

Just before noon, Craig stuck his head through the door. “The word around the firm is that you stood up to Baker. The junior associates are calling you a hero.”

“We should wait to see if I destroyed my career before you erect a bronze statue,” Mike said. “And how does word get out on a private meeting like that?”

Craig shrugged his shoulders. “Are you lunching?”

“I’m still in document purgatory,” Mike said, “and I have to finish my deposition prep. Warren essentially said my partnership election is riding on getting a big settlement by Wednesday. So I’d better eat at my desk today.”

“Your loss,” Craig said. “I was going to introduce you to this cute little White House intern I met last night in Georgetown.”

“Is she a keeper?” Mike asked.

“You know I’m a sport fisherman, strictly catch and release.”

“Did you ever think that you weren’t actually the one who was doing the releasing?”

“Hey,” Craig responded with a nervous laugh.

After a short pause, Mike said, “Can I talk to you for a minute? Come in and close the door.”

Craig pulled the door closed and flopped onto Mike’s leather sofa. “What’s up?”

“I’ve been having these nightmares lately,” Mike said.

“Are they the ones where Helen finally realizes she chose the wrong classmate and runs off with me?”

Mike ignored the comment and continued. “Last night I dreamed I was being chased through the jungle by a huge dark monster. The thing chased me over the edge of a cliff. I thought I grabbed hold of a tree root to stop from falling.” Mike took a deep breath and looked directly at Craig. “Then I woke up with my hands around Helen’s neck.”

“Ooh. What’d Helen do?”

“She got angry and kicked me out of the bedroom.”

“It sounds like I may get my shot at her sooner than I thought.” Craig smirked.

“I’m serious,” Mike insisted. “We’ve had some trouble lately, but I can’t imagine that she thinks I would intentionally hurt her. I’ve had graphic nightmares before, and I walk in my sleep a lot—totally unconscious with no control over my actions. But I’ve never harmed anyone—at least not until last night. What should I do?”

Craig thought for a moment. “Do you know what’s been causing your nightmares?”

“Probably the stress from the Kidz Play case or making partner. I don’t think Helen’s going to be satisfied with the lifestyle an associate salary can provide much longer.” Mike swallowed hard. “What if I really hurt her?”

“Maybe you’d better see somebody. I dated this shrink for a couple of weeks. She dumped me, but I still have her number.”

“If she dumped you, then she must have good judgment. Send me her number, and I’ll give her a call. Thanks, Craig. And please don’t tell anybody about this. I doubt BW would want to make a lunatic partner.”

“Fair enough,” Craig said as he got up to leave, “as long as you don’t tell anybody the psychiatrist dumped me.”

“I’m sure that could really screw up your reputation,” Mike said.

Craig snickered and hustled away.

Alone again with his documents, Mike took a deep breath to brace for the homestretch. He glanced around his office at the mosaic of family photographs and Victoria’s drawings he’d posted on the walls to remind himself of the reason he worked so hard. That afternoon the pictures were just painful reminders of how little time he’d spent with his wife and daughter recently. *After I make partner, I’ll have plenty of time with my family,* he said to himself.

Hours passed as Mike pored over the documents, polished his deposition outline, and organized his exhibits. He had identified several documents that showed Kidz Play rushed the product to market for the Christmas shopping season and had not properly tested the toy. The company's stock was also faltering from poor sales, so they needed a big Christmas hit. But Mike did not yet find the solid incriminating evidence that would make a jury want to punish the company. He kept track of time only by changing his music every hour—*Dark Side of the Moon*, *Slow Hand*, *Abbey Road*, *Who's Next*, *Rumours*.

Finally, Mike's determination paid off. Stapled within a 175-page SEC filing, no doubt placed there "inadvertently," Mike found the smoking gun.

▪

When Mike finally arrived home at their Oakton, Virginia, residence, Helen and their next-door neighbor, Nadine Tolbert, were in the kitchen talking. Mike came through the garage door and announced, "I'm home." The women fell silent, and Mike studied their innocent expressions as he set his briefcase next to the kitchen counter.

"Hi, Nadine," he said, and discerned from Helen's distant gaze and casual fingers caressing her neck that his neighbor already knew about his nightmare and probably the lipstick incident.

"Good luck on your promotion," the forty-seven-year-old divorcée responded.

Mike smiled and held up his crossed fingers.

"I didn't expect to see you tonight," Helen said with a pensive smile, and presented her lips for a quick peck.

Mike yawned and checked his watch. "I don't want to be rude, but I'd better get some sleep. I have a 7:00 a.m. flight to New York."

"I can take you to the airport if you want?" Helen said.

"You and Victoria need your sleep," Mike said. "I'll take a cab."

"By the way," Helen said, "your Mormon friend stopped by again tonight."

"The bishop?"

"Yeah. He said he was just in the neighborhood and wanted to say hi."

"That was nice. It'd be great to chat with him again when I'm not so busy." Mike yawned again. "Well, good-night ladies."

The women's voices grew faint as Mike dragged himself up the stairs. He took a quick peek at his daughter, then got ready for bed and crashed onto the mattress.

Despite his utter exhaustion, sleep was elusive. He squinted at the clock on his nightstand. It was almost midnight, and he could still hear the soft hum of the girl talk downstairs in the kitchen. He wondered what Helen and Nadine could be discussing so late into the night and finally drifted restlessly off to sleep.

▪

**Mike flips the burgers on his grill and surveys the hundreds of friends and neighbors who are packed into the backyard for his Labor Day barbecue. The swelling crowd is dancing and singing to the classic rock tunes spun by the DJ. Mike notices Helen and his buddy Craig at the back dancing close and kissing. He rubs his eyes and looks again, but they have vanished.**

**A bloodcurdling scream comes from inside the house. Mike spins around to see his daughter standing at the patio door holding the Samurobot in her hand, and he is panic-stricken.**

**“Daddy!” Victoria cries again, blood dripping from her elbow as the toy ratchets down on her hand. Her terrified face is pressed against the glass.**

**Mike darts toward her in terror. He yanks on the patio door, but the handle is locked. “Open the door, honey,” he begs and points to the knob. Lurking in the shadows behind Victoria are two glowing orbs faintly illuminating the hulking shape of the familiar black beast. “Open the door!” he yells in horror, and bangs on the glass so hard it cracks the seal.**

**“Michael.” Helen’s voice calls from a distance. “You’re disturbing the neighbors.”**

**“It’ll be okay, Victoria.” He forces a calm voice while eyeing the advancing monster. “Just open the door.” He tugs helplessly on the handle.**

▪

“Michael. Wake up!” Helen shouted from the bedroom window down to Mike who was standing on the patio outside in his pajamas.

Mike suddenly startled back to consciousness. He gazed around the dim backyard in wonder. His chest was pounding, and his face was dripping with sweat. He was alone and confused. *Another nightmare*, he thought. He walked back in the unlocked patio door, and when he was safe inside, Helen went back to bed.

As he negotiated the kitchen table in the dark, Mike began to recall his latest dream and replayed the disturbing images. *Victoria!* His heart pounded. He ran up the stairs and sped down the hall to his daughter’s room. She was sleeping peacefully in her crib, snuggling her soft blanket against her cherubic face. Mike carefully pulled back the covers to check her hands. She was fine. He tucked her in and rubbed his eyes. *It seemed so real.* He pursed his lips and exhaled a long slow breath, feeling relieved that it was only a dream and, even more, that he hadn’t hurt anyone.

### **THREE**

“The heart of the evil empire,” Mike whispered, and stepped off the elevator into the luxurious reception area of Salzburg & Prince, the Manhattan megafirm that represented Kidz Play. The clicking of his Cole Haan Oxfords on the Italian marble echoed like the sound of a courtier strutting through a grand palace.

The receptionist hung up the phone and beamed when she noticed Mike. She was already smitten with him since the week he’d spent at Salzburg & Prince examining documents earlier that summer. “Hello, Michael.” She drew out the words and let his name linger on her glossy red lips.

“How’ve you been, Tina?” he asked in a friendly voice.

“Fabulous, thanks for asking,” she said. “They’re waiting for you in the Marshall conference room.”

Mike winked at Tina, then followed the familiar path to the conference room that bore the name and portrait of Justice Thurgood Marshall. Mike wondered if the champion of the downtrodden would turn over in his grave to know that his name was affixed to the conference

room of an elitist firm known for representing big, oppressive corporations. He nodded apologetically at the portrait of the late Supreme Court justice and proceeded through the door.

Hayden Kohlberg, the senior Salzburg attorney for Kidz Play, peered over his reading glasses and eyed Mike like a prizefighter watching his opponent enter the ring. He remained seated next to his witness and reflexively puffed out his chest.

“Good-morning,” Mike exclaimed, refusing to feel the slightest hint of intimidation. He slung his box of deposition exhibits onto the granite conference-room table and extended his hand to the gray-haired witness across from him. “I’m Mike.”

“Walter Byars,” the Kidz Play engineer announced with a firm, workingman’s handshake.

“Hayden, this place must cost your clients a fortune,” Mike said, and slipped his business card to the court reporter at the end of the long, rectangular table.

“You get what you pay for,” Hayden replied with an attitude to match his Luciano Carreli suit. “Let’s get started.”

The reporter nodded to the attorneys that she was ready to begin. Mr. Byars swore that he would tell the truth, and after a brief introduction to the deposition process, Mike began his interrogation.

“Please state your name and occupation.”

“Walter Byars. My friends call me Walt. I’m the chief design engineer at Kidz Play in Hackensack.”

“How many years have you been employed by Kidz Play?”

“Including its predecessors, thirty-seven years.” Walter stiffened his posture in pride.

“Wow. That’s longer than I’ve been alive,” Mike said, then proceeded to question the witness in depth about his professional and educational background. Mike’s genuine amazement and interest in Walter’s accomplishments stroked the man’s ego all along the way. Mike felt the witness warming up to him, but he still had a long way to go to soften Byars up for the questions that would turn Kidz Play’s defense on its head.

Mike took Walter through Kidz Play’s process for manufacturing a new toy from conception to design, preparation of a prototype, product development, manufacturing, marketing, and shipment of the final product. The questions were tedious, but Byars appeared to enjoy answering questions about himself and his expertise. Hayden thus frequently “invited” Walter out into the hall, no doubt to review the deposition instructions he’d given the witness. After about three hours of background questions and hallway meetings and a lunch break, Mike finally got to the heart of his questioning.

“Walt, are you familiar with the toy called Samurobot?”

“I designed it,” Byars answered with a hint of sarcasm.

“Just answer yes or no,” Hayden said.

“Yes,” Walter answered and scowled at the company’s uptight attorney.

“Great toy. I have one. Love it,” Mike said.

“Thanks, Mike.” Byars sounded sincere. “You’ll love the new robot I’m working on. You can control it with brain waves.”

“Brilliant. I can’t wait,” Mike said, then continued his questions. “Did you submit your Samurobot design for approval to anyone before manufacturing began?”

“I’m the one who approves the designs,” the engineer said.

“Answer the question,” Hayden instructed.

“No,” Walter responded.

“What do you mean, no?” Hayden’s face turned red, and he glared at the witness.

“No, I did not submit the design for approval,” Byars recited deliberately and gave a curious glance toward the Kidz Play attorney.

Kohlberg tugged at his collar and tried to regain his composure.

“Don’t get mad at me,” Byars said under his breath. “This is Buck’s fault not mine.”

“Did you discuss your idea for the Samurobot with anyone before preparing the drawings and prototype?” Mike continued.

“Yes,” Walter answered.

“This is irrelevant,” Kohlberg said. “Why are you wasting our time with this nonsense?”

“Who was that?” Mike asked, appearing oblivious to Hayden’s ranting.

“Buck Baxter, the president of the company.”

“What did you discuss with Buck?”

“We had a short meeting in July. I told him about the idea and all the features I thought the toy could have. He was excited and asked me how long it would take to develop a prototype. I estimated I could have something for him in about four weeks. He told me I had three.”

“How long did it take you to design and build the prototype?” Mike asked.

“About two-and-a-half weeks working overtime. Buck checked with me every day to gauge my progress.”

Mike already knew about the toy’s design errors that led to the injuries—the use of defective gears that prevented the arms from releasing when encountering resistance and the absence of an automatic shutoff if the gears started to bind. These errors were not found in the prototype but were incorporated into the Samurobot as sold. Mike asked Walter about the design and function of each component, and the engineer eventually acknowledged the errors. The witness explained, however, that these defects were the result of changes made after the initial drawings. His design, the engineer said, was “flawless.”

Walter’s bitterness was transparent as he explained how the president had another senior engineer from the design department secretly revise the schematics. The senior engineer used a simpler gear design for the arms, so they could ship the product in time for the holidays. “If they’d consulted me,” Walter testified, “they would’ve known that the alternative gear design would prevent the arms from releasing when encountering resistance.”

The senior engineer reported directly to the president, and Baxter himself approved the design changes. By the time Walter found out about the modifications, the company had already shipped three million units. Stopping production at that point would have cost Kidz Play millions and potentially ruined the company.

The sales figures told the rest of the story. Kidz Play released the Samurobot in late October. In an extraordinary feat of production, the company shipped two million units before Thanksgiving and a total of over four million by the end of the year. Kidz Play grossed more than \$600 million. By January, the company’s stock went from \$1.50 to over \$27 per share.

Walter’s face sagged with remorse that he had not tried to prevent Kidz Play from shipping the redesigned Samurobot. Mike thought, however, that the anguish in his aged face might instead have come from his failure to profit from the success of his invention while Buck and the other stockholders became obscenely wealthy.

“You must be pretty mad at Kidz Play because the company got rich from your invention?” Mike looked directly at Hayden with a goading smile.

“I understand that ownership of my inventions was part of the deal,” Walter said.

“When did the senior engineer discover that his design changes made the toy defective?”

“Objection, calls for speculation.” The veins in Hayden’s neck bulged.

Walter answered despite Kohlberg's objection. "I told him, but I don't recall when it was. We had a heated argument when I found out he'd changed the design without my knowledge."

"Good time to take a break from this trifle," Hayden interrupted again to disrupt the flow of Mike's examination.

"I'm almost finished," Mike said.

But Hayden was already on his feet and pulling Walter out of his chair.

After an extended break, Penny Wigand, the fair-haired Salzburg associate who had monitored Mike during the summer document review, came to apologize for the delay. Mike and Penny recalled some of the laughs they'd had together during the tedious document analysis and made small talk about the case. Penny instantly clammed up when Hayden marched back into the conference room alone, carrying a single sheet of paper, and took his seat across from Mike.

Hayden leaned onto the granite table and cleared his throat. "We both know that you're just trying to extort cash from Kidz Play. If it were up to me I'd grind you into the ground at trial. But I'll admit it's not cheap hiring my firm for a case like this—like smashing a gnat with a sledgehammer—and the company thinks it will save money by paying you to go away.

"Never mind the injured kids as long as settling helps Buck's bottom line," Mike said.

"Against my advice," Hayden continued, "Kidz Play is prepared to offer an obscene amount to resolve this lawsuit now."

The attorney slid the paper across the conference table.

Mike scrunched his face and said, "Why don't you just tell me what the offer is?"

Hayden, trying not to break his game face, responded, "We think you'll be pleased with the number and want it to be in writing."

Mike shrugged his shoulders and grabbed the paper. In hand-written notations on the page was printed "\$360,000." The note explained further that the payment would be "\$60,000 per plaintiff paid in an annuity over ten years." That figure would be sufficient to cover BW's litigation costs with a modest fee and would probably please Warren enough to clinch the partnership election, which made Mike's heart race. But the offer would not leave much for his injured clients, and his gut told him Kidz Play would pay ten times that amount after the deposition was finished. His gut prevailed.

"Wow that's *very* generous," Mike said.

Hayden did not flinch at Mike's flippant response.

"I envision an angry jury adding at least another zero to the end of this number," Mike pointed to the paper, "and maybe more after we hear the testimony of Buck and his accomplice. Let's finish the deposition, and we can talk about settlement tomorrow." Mike glanced at his watch.

Penny suppressed a knowing smile.

Hayden signaled to her with a stern nod, and she escorted the witness back into the room. Byars took his usual seat, and Penny sat on the other side of Hayden, a cheap tactic to distract Mike with her flowing blonde hair and low-cut blouse.

Mike reached into his box of exhibits and removed a manila file folder. He took the top sheet, handed it to the reporter, and asked her to mark it as "Byars Exhibit 33." He distributed copies of the same document to Hayden and Walter and asked the engineer to review it. The color drained from Hayden's face, and his eyes grew wide. Byars breathed heavily and mumbled aloud as he carefully studied the words. Mike sat motionless, his arms folded across his chest, staring coolly at Kohlberg.

Hayden sat shamefaced, like a philandering husband holding an unexplained hotel receipt. After a few moments, Byars looked up, seething, and indicated that he'd finished reading the document.

"For the record," Mike began, "Exhibit 33 is a memorandum from the Product Development Department to Buck Baxter dated October 15, last year, subject Samurobot Product Summary. The memorandum is labeled 'confidential' at the top. How lucky for me that Kidz Play decided to staple it within the pages of its SEC filing."

Hayden jerked his pale face up and shifted his eyes.

"Have you ever seen this document before?" Mike asked.

"No, I have not." Walter spoke deliberately.

"Will you please read the second paragraph for the record?"

The witness complied:

We can expect a high incidence of injury (1 injury per 2000 toys sold) from the ratchet action on the toy's arms. Preliminary tests show that a customer holding the figure around the abdomen while the arm sockets are rotating could get his fingers stuck and possibly lacerated.

"The scoundrels *knew* how many children would be hurt," Walter volunteered angrily.

"Wait for a question," Hayden reminded in a subdued voice.

"Did anyone at Kidz Play ever tell you that the company knew the ratchet mechanism in the arms could, or rather, *would* cause injury?" Mike asked.

"When I confronted the engineer about his design changes," Byars said, "he didn't appear surprised when I told him that his design was problematic."

"Did you confront him before or after October 15, the date of the memorandum?"

"I'm sure it was after, given his attitude toward me and the escalating sales."

"Will you please read the first sentence in the third paragraph?"

Byars continued reading aloud:

Changing the design and manufacturing process to provide a release mechanism would delay production by at least three weeks—projected ship date November 15.

"Did Kidz Play have time to correct the design and still fulfill its orders in time for the holiday sales?" Mike asked.

"Calls for speculation," Hayden interjected.

"Most of them," Walter answered despite the objection.

At Mike's direction, the engineer then read aloud the paragraph identified as "marketing analysis":

Advertising the product as a handheld toy may increase the number and severity of injuries. A warning label could be placed on the printed advertising and on the toy to minimize improper use.

"Now, let me show you a color photocopy of a print advertisement for the Samurobot that was produced by Kidz Play in discovery." Mike handed copies to Kohlberg and the witness and asked the reporter to mark a copy as "Byars Exhibit 34." "Do you recognize this document?" he asked.

Byars studied the picture of two young boys holding the robots and simulating fighting. He shook his head and said, "It's an ad for the Samurobot."

"Were these ads run nationwide?"

"I believe so."

"Do they contain the suggested warning?" Mike asked.

Byars reread the memo, looked at the ad, and said, "There's no warning."

"The caption below the two kids says, 'More Realistic Combat!'" Mike observed. "Did you design the Samurobot to be held?"

"Yes," Byars answered with disdain. "My design was appropriate for a handheld figure."

Mike instructed the reporter to go off the record and asked Hayden in a hushed voice, "If Kidz Play knew the Samurobot would cause injuries, shipped the product anyway, and even advertised the toy for use in a manner that would cause serious harm, I wonder if the injuries were fortuitous?"

"Why would that be important?" Byars asked and cocked his head.

Hayden froze like a possum in headlights. He understood. He knew that if the plaintiffs proved that the injuries were not accidental, Kidz Play's insurance policy might not cover the claim.

"That's all the questions I have," Mike said. "Thanks for your time, Walt."

They went back on the record and formally concluded the deposition. Penny escorted Mr. Byars and the court reporter to the lobby. Hayden shifted papers around nervously while he waited for the others to be out of hearing range. "You know, Mike, I'm sure you're spending more on this case than your firm expected." His demeanor grew confident as he heard himself speak. "I think I can talk to Baxter and come up with an offer you can't walk away from."

"Don't horse around with me, Hayden," Mike said. "We both know what happened here today." He suppressed a self-satisfied smile. "Don't even talk settlement with me unless you come up with at least a mid seven-figure number and agree to recall the Samurobot." Immediately after the words left his mouth, Mike hoped that he had not overplayed his hand and jeopardized a settlement he desperately needed to secure his election to the BW partnership. He picked up his box and headed for the door.

"Hi, *Michael*," Tina said when he entered the reception area.

"Tina, would you do me a big favor?"

"*Anything* for you, honey," she eagerly responded.

"Would you call my wife and tell her I'll be on the 7:10 shuttle then catch a cab home?"

"Oh." She blew out a pouty breath.

Mike gave her a note with his home phone number. Tina ran a manicured finger over the back of his athletic hand and snatched the paper.

"Thanks, Tina. See you soon."

"Good-night, *Michael*," she said with a bittersweet grin.

Mike smiled and hurried to catch a departing elevator. As the doors closed, Penny walked past the diminishing opening and shot him a furtive wink. Mike smiled and burst out laughing. He could hear her begin to chuckle too as the car started its descent. *It was Penny who slipped the memo into the SEC filing rather than "lose it" as Hayden no doubt instructed.*

▪

As Mike waded through security at JFK Airport with a crowd of angry New Yorkers, he dialed Craig on his cell phone to tell him the good news.

“What’s up?” Craig answered.

“I just finished the deposition of the chief engineer,” Mike said. “Byars admitted the company changed his design and intentionally shipped a dangerous toy.”

“Sweet!” Craig exclaimed. “I smell victory.”

“By the way.” Mike switched the phone to his other ear. “Have you been kissing my wife?”

“In her dreams,” Craig said.

“Actually, in my dreams,” Mike said.

An elderly woman shot a suspicious glance at Mike.

“Huh?” Craig said.

“I had another weird dream last night,” Mike continued in a hushed voice. “I was having a huge party in my yard, and you were at the back of the crowd making out with Helen.”

“Did you try to strangle her again?” Craig asked.

“No, but I wanted to strangle you.”

“It wasn’t me. She’s not my type.”

“Every woman is your type,” Mike said. “Oh, you mean *single*.”

“You can’t think she’s cheating on you?” Craig asked.

“No, that’s impossible. I just think I’ve been under too much pressure lately. And it’s getting harder to tell the difference between dreams and reality. Be sure to send me the name of your shrink girlfriend.”

“Will do,” Craig said. “Have a safe flight.”

“Thanks, brother.”

Mike made it through security just twenty-five minutes before his departure time. He raced with his load through the United concourse and sprinted to the gate. He leaned at the finish line, beading perspiration and panting heavily, just as the uniformed attendant was closing the door to the jetway.

“No!” Mike pleaded between deep breaths. “I’m here.”

A shapely young blonde spun around with her company face on, prepared to turn him away.

Mike pushed his crumpled ticket into the woman’s hand, flashed his most debonair smile, concealed his ring finger under the box, and glanced at her nametag. “Come on, Allison. As tempting as it would be to spend the evening in New York, perhaps in the company of an attractive young woman, there still has to be time for me to board that plane.”

Allison blushed and flipped her hair. “Maybe we could make some kind of arrangement.” A coquettish smile formed on her mouth, and she caressed Mike’s forearm.

Mike leaned his face close to her. “Why don’t you take my ticket, and perhaps we’ll get together the next time I’m in New York.”

Allison simpered, smoothed the creases in his ticket, and studied the print. “Well Mr. . . . Kingston, we might just run into each other sometime at . . . Dulles Airport.” She pulled the heavy gate door open and tossed her hair back again. “Better hurry,” she said.

Mike grinned and mouthed, “Thank you,” as he hustled past her, down the ramp, and onto the small plane.

▪

Mike saw Helen and Victoria waiting just outside of security at Dulles.

“Daddy, Daddy, Daddy,” Victoria shouted.

Mike dropped his box, scooped his daughter into his arms, and held her close to his chest. “My little girl is growing up so fast,” he said to his wife. “I’m surprised she even recognizes me after I’ve spent so much time at the office lately.” Mike felt despondent but perked up when he remembered there was a light at the end of the tunnel. “I think I’ll be able to settle the toy case soon, and partnership decisions are tomorrow, so hopefully the pressure will lighten up.”

“Really?” Helen asked with a voice that revealed she’d heard that story before but nevertheless retained a breath of hope.

“I thought I was going to take a cab home from the airport,” Mike said.

“After I got a call from that cute young receptionist, I had to make sure you were traveling alone. Besides, I couldn’t wait to tell you that Victoria learned a new phrase tonight.”

“Shut up,” Victoria responded on command and clapped her tiny hands together.

Mike chuckled. “Where did you learn that from?”

“Uncle Craig,” Victoria announced.

*Why didn’t Craig tell me he was at the house tonight?* Mike wondered to himself. “Speaking of Craig,” he said, “I had another crazy dream last night.”

## FOUR

**Deep thumping bass riffs rattle the windows of the junior high gymnasium. A disco ball flashes constellations of light on the banner announcing “Seventies Night.” Teenage girls in heavy makeup and hot pants shuffle with awkward adolescent boys in bell-bottom trousers to the grooves of “Dream On” by Aerosmith.**

**Mike catches his reflection in the pulsating window, and the shocked face staring back at him is about thirteen years old with shoulder-length, curly hair and a few fine, dark whiskers dirtying his lip.**

**Todd “Skeeter” McGee calls to Mike from the drinking fountain and wipes the drizzle from his chubby face as he waddles over to his friend. “Wendy Crawford is looking for you.”**

**“Wendy Crawford?” Mike’s eyes grow wide. “She’s the foxiest girl in the whole eighth grade.”**

**Skeeter drags Mike toward Wendy before he can retreat.**

**Wendy’s face lights up when Mike appears. She gazes up at him through feathered brunette bangs and turns up the corners of her cherry lips. Her girlfriends giggle and whisper excitedly to each other.**

**Mike swallows hard. “Would you, uh, like to dance?”**

**“Sure,” she sweetly replies, locks her arm in his, and escorts him toward the center of the gym as Mike floats along beside her with his head reeling.**

**A ballad starts to play—“Lady” by Styx—and the once-crowded dance floor instantly becomes deserted. Mike feels his body heat rise, as they are now conspicuously alone under the disco ball. He hopes his palms won’t sweat as he places his hands on Wendy’s waist. She drapes her arms affectionately around his neck and rests her head on his chest as they rock back and forth. It seems to him as if time has stopped and this perfect moment will last forever.**

**Mike brushes Wendy's hair from her face and softly caresses her cheek. She looks up, and they stare deeply into each other's eyes. She presses her head forward slowly and wets her red, full lips. Mike's chest swells. His breathing becomes shallow and rapid. Wendy tenderly pulls Mike's face closer, tilts her head, and closes her eyes. He follows, masking his inexperience. He can feel her warm, moist breath on his mouth as their lips draw together.**

**Suddenly Wendy's body is torn from his arms.**

**"Michael!" she screams, and the record screeches to a stop.**

**Mike throws open his eyes and is horrified to see the ubiquitous dark behemoth wrest Wendy's precious form away from him.**

**"Wendy!" Mike hollers, and lunges toward the putrid horned beast. He catches hold around the girl's waist and clings to her with all his might. The monster's thundering movements shake Mike violently as it drags him through the gym. Students and teachers run screaming in chaos.**

**Mike then feels his arms being beaten and pried from Wendy's abdomen by the beast's blood-matted claw. "Wendy!" he cries again in desperation.**

**"Michael," a stern voice replies.**

**He loses his grip on the girl and crashes to the ground.**

▪

"Who is Wendy?" Helen exclaimed, glaring down at Mike, who was lying on the floor next to the bed.

"Who, what?" Mike groaned as he dragged himself back into bed. He was so physically and mentally drained that he didn't even know whether he was awake or asleep. "I think I hurt my shoulder," he mumbled.

"You were grabbing me, flailing around, and calling me Wendy." Helen scowled. "Who is Wendy?" she demanded.

Mike winced in pain and squirmed on the mattress. "Oh, she's just some junior high school girl."

"What?" Helen's face reddened, and she shoved him halfway off the bed again.

"No! It's not what you think—that's not what I meant." Mike scrambled to his feet. "She's a girl I had a crush on when I was in junior high."

Helen folded her arms across her chest. "Sure," she said.

"I was dreaming," he quickly explained, "that I was back in junior high at a stomp and was slow-dancing with Wendy Crawford. I didn't hurt you did I?"

"No. But I'm really beginning to worry about you and your *dreams*."

"Me too," Mike said, and cautiously climbed back into bed and slipped his arm around his wife. "I could sure use a few more hours of sleep."

"Then the only woman you'd better dream about is me." Helen smiled and slid under the covers.

▪

A smile swept across Diane's face when Mike appeared in the BW lobby later that morning in his best Armani suit. She shuffled papers around her desk as he approached and blurted out, "Good-morning, Mike."

"Hi, Diane," Mike said and grinned at her curious expression.

"Randy is waiting in your office." The receptionist continued to fidget.

"You seem nervous."

"I'm worried about the partnership vote today. Good luck, Mike," she said.

"Thanks, Diane." He held up his crossed fingers, smiled back at her, and continued to his office.

Randy was sitting behind Mike's desk with a handful of M&M'S from the candy dish on his credenza. "How'd the deposition go?" he asked.

"Better than we could've hoped." Mike sank into his couch. "Byars admitted that Kidz Play changed his design. And I found a Kidz Play memo showing that the company knew the Samurobot was defective and would injure thousands of children. You should've seen Byars fuming."

"That's fantastic," Randy said, and grinned at his protégé.

"Kohlberg said to expect a settlement offer this morning. Was there a fax on my chair?"

"No." Randy held up a one-half-inch stack of papers. "But there was a motion for a protective order to prevent us from using any of Mr. Byars's deposition testimony or exhibits."

Mike sighed. "When do those guys sleep?"

Grace burst through the door and handed Mike a paper. "This fax just came for you."

"It's from Kohlberg," Mike observed. "Their settlement offer!"

"The motion is just a negotiation ploy," Randy said.

Mike read the correspondence aloud. "'Dear Mr. Kingston,' blah, blah, blah, 'in order to avoid the mounting costs of litigation'"—Mike's voice escalated with anticipation—"we are prepared to offer the plaintiffs \$500,000 each in full settlement of any and all claims they may have against Kidz Play." Mike and Randy raised their fists in triumph.

"What's our contingency in this case?" Randy asked.

"Forty percent."

"So our fees should be about \$1.2 million."

"We hit the jackpot!" Mike exclaimed. He continued to scan the settlement offer. "They didn't agree to take the product off the market. And Kohlberg demands that the parties and attorneys keep the settlement confidential and not cooperate with the other plaintiffs' lawyers. They're trying to buy our silence."

"We'll probably blow the settlement if we insist on withdrawal from the market or refuse to keep the memo confidential," Randy said.

"If we don't, other kids may be injured," Mike said. "And I'll bet all the other copies of the memo are destroyed and Byars is on a beach in Tahiti. But \$3 million is more than enough to compensate our clients."

"We have leverage with the memo to push for product withdrawal and even nationwide class certification," Randy said. "Of course our net fees could go down the longer this lawsuit continues, and Warren told me the firm doesn't want to invest any more in the case."

The concern Mike didn't voice was that rejecting the offer would destroy his partnership chances. That would frustrate Helen's plans for a new home and respect from his disapproving in-laws. He agonized for a moment, then announced, "I just don't feel comfortable, knowing that other kids will be hurt."

“I can appreciate your concerns,” Randy said. “I’ll contact my buddy at the Consumer Product Safety Commission and make sure Kidz Play is on his radar. Kohlberg’s offer doesn’t prohibit cooperation with the government as long as we keep our settlement confidential. You can accept the offer with a clear conscience.”

Mike felt as though he could personally do more about the dangerous toy. But pressing for withdrawal would risk the ample settlement for clients and defy the will of the firm. “Okay,” Mike finally acquiesced. “Let’s do the deal.”

“I’m sure your clients will be ecstatic,” Randy said, and slapped Mike on the back on his way out the door.

Mike e-mailed Kohlberg to accept Kidz Play’s settlement offer, conditional upon approval from his clients, then picked up the phone and dialed home. Helen answered, and Mike announced, “Great news, honey.”

“You settled the case,” Helen crowed.

“Kidz Play caved and offered an outrageous amount we couldn’t pass up.”

“That’s terrific news!”

“I promise I’ll be home early tonight. After all, I don’t have a lot of work to do now.”

“I’ll cook your favorite dinner to celebrate.”

“Fantastic. Let’s hope you’re celebrating with the newest BW partner. See you tonight.”

Mike hung up, put his feet on his desk, closed his eyes, and floated on the cloud of eased burdens for a moment. His thoughts turned to his wife and daughter—his long absence from the family that he’d abandoned for so many years for the sake of his career. He’d always rationalized that professional success was necessary to provide a good life for them, but all it really earned him was fractured relationships and bad dreams. He promised himself that he would make it up to his wife and daughter and never again let the firm come before his family.

Mike spent the next few hours sharing war stories with Craig and the other associates and calling his clients to discuss the settlement agreement. This was Laura’s victory too, so Mike arranged a celebratory lunch with the paralegal.

“Congratulations on the huge settlement.” Diane beamed when Mike reached the lobby at lunchtime. “Your clients must be thrilled.”

“Thanks, Diane,” Mike said. He allowed his gaze to linger momentarily on her inviting smile.

Laura arrived and embraced Mike in a congratulatory hug.

“Where are you two headed?” Diane asked.

“Just a victory lunch,” Mike replied in a reassuring tone and escorted Laura to the elevator. The receptionist didn’t know the secret of his relationship with the paralegal, and the last thing he wanted was to start any rumors.

While they dined at the Red Sage, Mike and Laura relived their months of intense litigation and laughed about all the crazy characters and events. As they finished their lunch, Mike raised his water glass and offered a toast “to extracting millions from the evil toy empire.”

▪

They arrived back at the firm and found Craig at the receptionist’s desk getting the brush-off from Diane.

Laura thanked Mike again for lunch, and the attorneys continued to Craig’s office.

“The receptionist seems sweet on you,” Craig said when they had a little privacy. “What a waste. She’s drop-dead gorgeous, and you . . . well, you’re a dork.”

Mike snorted. “Thanks, man.”

“Could you put in a good word for me?” Craig pleaded.

“Since you’re such a *loyal friend*, I’ll find out if Diane’s interested.” Mike shook his head as he wandered back down the hall.

He paused at his secretary’s desk on the way back to his office. “Grace, we need to make sure that everyone in the firm knows the settlement is confidential. Even the receptionist knows the details of the agreement.”

“I haven’t told anybody.” Grace arched her back and put her hands on her hips. “You need to talk to Randy. He’s got a mouth like a bullfrog.”

Mike chuckled. “I’m sure you’re right, but can you e-mail the firm anyway?”

“I understand you’re jumpy waiting for the committee,” Grace said, and handed him a thick fax, “but don’t take it out on me.”

Mike grinned and read the fax cover sheet on his way back to his office. It was a thirty-page draft settlement agreement from Kohlberg, and Mike smiled in amazement.

Mike knew Grace was right. He needed to loosen up. And the settlement agreement was just the thing to occupy his mind while he waited. He put *Abbey Road* into his CD player, seized his red pen, and spent the next few hours analyzing the settlement language and discussing the agreement with the clients he hadn’t reached that morning.

Three albums later, Randy appeared in the doorway. “Howdy, partner.”

“Hey Randy. I’m just going over the draft settlement agreement from Kohlberg.”

“How’s it look, *partner*?”

“Partner? I made it!” Mike yelled and jumped out of his chair.

“The vote was unanimous. There were a few who wavered at first because of the controversial cases you’ve litigated. But when I reported the enormous fee you’re generating from the Kidz Play settlement, everyone on the committee enthusiastically voted to make you a partner. You made the right decision to take Kidz Play’s offer.”

“I can’t wait to tell Helen.”

“It’ll have to wait,” Randy said. “I was instructed to bring you directly to the main conference room.” He grabbed Mike by the arm and steered him down the hall, strutting like a proud father.

“Congratulations!” the crowd shouted in unison when Mike appeared at the conference room door.

Brimming with pride, he stepped into the packed room. His colleagues crowded around the conference table with some of the firm’s most important clients, sipping champagne from crystal flutes engraved with the firm’s mark.

“A champagne reception for BW’s newest partner,” Warren Baker announced, and gave Mike a ceremonial handshake. “Congratulations, Mike.”

The group applauded and cheered, and Mike smiled and nodded graciously.

“I’m deeply honored to be a member of this firm,” Mike proclaimed, “now don’t you *associates* have some more hours to bill?”

“Traitor!” Craig hollered, and the crowd burst into laughter.

The party spilled out into the lobby as tuxedoed men with champagne bottles rushed to refill empty glasses.

Abraham Williams pushed his way through the crowd. He handed a glass of champagne to Mike, cleared his throat, and announced, "I'd like to make a toast."

Mike tried to hand the glass back to the senior partner. "Abe, you know I don't drink."

"This is an important day for you, son. You'll drink with us tonight."

Mike reluctantly acceded and raised his glass.

"To the toy killer who grossed us over a million in fees for a few kids with cut fingers."

Glasses clanked, and several people called out "cheers."

"The firm is very proud of you, Mike," Abe said. "Keep up the good work." He smacked Mike solidly on the back and flagged down a waiter for a refill.

Craig squeezed through the pack, grabbed Mike around the chest, and hugged him tight. "Congratulations, buddy. You deserve it." Craig's breath and glassy eyes revealed that he'd been responsible for draining his share of the champagne already.

"Thanks, Craig. I wish we were both celebrating partnership."

"Well, if I hadn't snuck off with Baker's daughter at the summer party our first year, I would've gotten some good cases and trial experience too." The bitterness showed through Craig's liquor-induced candor.

"I can't believe the firm put this together so fast." Mike shifted to a new topic.

"Oh, the reception was planned all along. If you didn't make partner, we would've found some other reason to party."

"I believe it," Mike said. "Any excuse to drink around here is a good excuse."

One by one, each of the other attorneys and clients who knew him paid tribute to the new partner. Mike retold his Kidz Play war stories over and over to the delight of the partners who loved the part where he settled the case for \$3 million. However, the celebration soon melded into just another occasion to drink and schmooze.

Time wore on, and the heavy drinkers became loud. Mike continuously tried to make his way to the door, but the closer he got, the more people rushed to give him one last pat on the back. Finally at about 7:45, he abruptly excused himself so he could call his wife.

Diane was tarrying at the reception desk and sprang from her chair when Mike emerged from the conference room.

"What are you still doing here so late?" Mike asked.

"Oh, I told Warren that I would hang around in case the caterers needed something."

"You must be bored to death."

"It was worth it," Diane said, "just to be the first staff member to congratulate you." She wrapped her arms around him, and he reciprocated. Mike felt himself drawn in by her warm embrace.

"Thanks, Diane," he said.

"I was just on my way out," Diane said. "Should I wait for you?"

"I don't want to hold you up. I need to call my wife and collect my things."

Diane wrinkled her nose. "I'll see you tomorrow."

Mike hurried back to his office and packed his briefcase. As he reached for the phone to call his wife, Ira Levine charged into his office and gave him a firm handshake.

"Mike, we know that you've sacrificed a lot for the firm. We're very proud that you'll be an important part of Baker, Williams & Levine for many years to come." Ira always articulated the full name of the firm as if he felt slighted when people shortened it to BW.

"Thanks, Ira. I'm looking forward to spending the rest of my career here."

The esteemed attorney strode to the door, stopped at the threshold, and turned back toward Mike. “We expect big things from you.”

“You can count on it,” Mike replied with a proud smile.

Mike’s head reeled from Ira’s compliments and the praise from the other senior partners. He grabbed his briefcase, turned off the lights, and slipped out the back stairway to avoid having to talk with any more tipsy well-wishers.

For the entire commute home that night, Mike sat in silence contemplating his new life. After seven months’ effort litigating the Kidz Play case and seven years’ hard work making partner, total exhaustion followed adrenaline letdown. That day both missions came to a sudden thrilling conclusion. He thought to himself, *Maybe now all these nightmares will stop.*

▪

Mike came into the kitchen through the back door from the garage. All the lights were off, and the house was eerily silent. He set down his briefcase and flipped on the light switch. The florescent kitchen lighting spilled into the dining room, and Mike saw Helen sitting alone in the darkness with sullen eyes and crossed arms. She didn’t flinch. The dining room table was set with their wedding china and two long unlit candles.

His tardiness and long hours at the firm had upset Helen many times over the years, but this was by far the worst. He sighed, dropped his head, and prepared to weather the coming tempest.

“Honey, I’m so sorry. The firm hosted a surprise reception for me because—”

“Save it. Your dinner’s in the oven,” Helen railed and stormed away.

“I made partner,” Mike called after her, but Helen’s footsteps grew louder as she stomped upstairs and slammed the bedroom door.

Mike smacked himself in the head and quickly sampled Helen’s cooking, so all of her effort wasn’t completely in vain. As he started his long march up the stairs, Mike realized how profoundly he’d messed up by disregarding his family on this very special occasion.

Helen was lying facedown on the bed sobbing.

“The lasagna is delicious,” Mike said.

She remained still except for the rhythmic quivering of her anguish.

“All the firm and several important clients were at the reception to congratulate me,” he continued, and stepped next to the bed. “I really couldn’t get away any sooner.”

Helen sat bolt upright on the bed. “At least you could have returned my call.”

“I picked up the phone to call,” Mike fumbled for an excuse, “and Ira interrupted—”

“I don’t know if I can trust you anymore,” Helen cried. “Was that hussy *Tanya* there?”

“No!” Mike said, and immediately felt bad for raising his voice. He leaned toward her apologetically.

“Do I smell alcohol on your breath again?” Helen’s face turned red, and she sprang from the bed. “You never drink, and now this is the second time you’ve come home stinking of booze. What is happening to you—to us?”

“I had one glass of champagne,” Mike said. “Abe gave me a glass for a toast and insisted that I drink with him. I swear that’s all I had. I was anxious to get home to see you, but I had to stick around for the back slapping until the party wound down.”

Helen sat on the edge of the bed and quietly wept. Mike settled beside her, brushed her tear-soaked hair away from her eyes, and gently stroked her red cheek.

“I love you so much Helen,” he said, and moisture started to form in his own eyes. “I would never do anything to hurt you or to jeopardize your trust. I’ve had numerous opportunities on business trips to cheat on you—after all I’m a powerful attorney.”

A snort escaped Helen’s nose, and she broke down sobbing. Mike wrapped his arms around her and buried his face in her damp brown hair.

“This has been a nightmare for me.” She finally gathered herself to speak. “We haven’t spent any time together in months.”

“After I finalize this settlement agreement tomorrow, I’ll take the rest of the week off. Things will be different now that I’m a partner, I promise.”

Helen looked up at him with hopeful, moist brown eyes. “I want to believe you because I’m so tired of always being second to your mistress.”

“I just explained,” Mike pleaded.

“I mean the *firm*.”

They exchanged a smile that melted away any remaining hostility, and they pressed their radiating bodies together.

“I love you,” Mike whispered in Helen’s ear.

When they finally released their embrace, Mike asked, “Sweetheart, do you mind if I go finish editing the settlement agreement so I can get out of the office earlier tomorrow?”

“That’s fine,” Helen said. “I’m so exhausted anyway that I’ll probably just pass out.”

“You’re wonderful. Good-night, gorgeous.”

Helen planted an ardent kiss on Mike’s wet mouth, and he knew he’d been paroled. He got up to leave, and she tossed a decorative pillow and hit him in the back of the head. She gave him a wry smile and said, “It’s safer for me anyway if you just sleep in the other room.”

Mike laughed and picked up the pillow. He then crept down the hall and tiptoed into Victoria’s room. Remarkably, she was still asleep. Mike caressed her back and stroked her tender face. “Your daddy’s home now,” he whispered, and slipped out of his daughter’s room.

Mike retrieved the Kidz Play settlement agreement from his briefcase and went back upstairs to the den across from Victoria’s room. Soon after he settled into his overstuffed chair and began studying the document, his eyelids grew heavy. He scooted down in the chair, propped the pillow behind his neck, and tried to concentrate on editing. But he quickly succumbed to sleep.

▪

“Daddy!”

“Daddy!” Victoria’s piercing voice shrieked again in distress.

Mike leapt from the chair and looked around the room in a haze.

“Daddy!” his daughter screamed again with more urgency.

Mike raced into Victoria’s room and swept her into his arms. “What’s the matter, princess?”

“Monster,” the frightened girl cried, searching for the right words.

“Monster, honey?”

“Monster, room,” Victoria sobbed and pointed toward her bedroom door.

“You’re just having a bad dream.” Mike hummed and glided around the room with Victoria’s face resting on his shoulder. Within minutes she was asleep again, and he placed her back into the crib.

Mike crept into his bedroom and quietly put on his nightclothes. Helen was still sleeping soundly, lying on her back in the middle of the ruffled bed. He slid into the diminished bed space next to her and nestled into her shoulder.

Helen's body felt cool, so he pulled the covers up over her, snuggled his arm around her abdomen, and started to drift back to sleep. But something didn't seem right. He couldn't feel her chest rise and fall. He switched on the bedside lamp and examined his wife. In the dim light, her lips had a bluish tint, and her skin appeared pale. She did not move. Terror seized him. His heart raced, and he shook her vigorously.

"Helen, wake up."

Nothing.

"Helen!"

He tapped her firmly on the face. "Honey, please wake up," he pleaded. Still no movement. "No, no. Please, Lord, no." Mike began to shake and fumble as he picked up the phone on Helen's nightstand and dialed 9-1-1.

"Emergency," the operator responded.

"Please help me. My wife's not breathing!" Mike could hardly speak.

"What's your address sir?"

"10537 Mystic Meadow Way, Oakton. Please hurry!" Mike dropped the phone and rushed back to his wife. "Please wake up, Helen," he begged, and cradled her lifeless form in his arms.

"Sir, have you tried CPR?" the operator called from the handset.

Mike heard "CPR" and took a deep breath to calm himself down. He tried to remember his first-aid training from Boy Scouts and tilted Helen's head back. He pressed his mouth against his wife's cold, blue lips and gasped at the memory of Helen's gentle kiss. Her chest rose and fell with each breath he forced into her lungs, and he desperately imagined that she was breathing. Yet she did not resuscitate. He heard in the distance the faint sound of an ambulance siren, and his hopes soared. "Hang on, sweetheart. Help's on the way." Mike clasped his hands together and placed them on Helen's chest. He pressed down in rapid succession then checked for a pulse. Nothing.

The rising siren spurred Mike on, and he intensified his frantic efforts to restore life to Helen. He didn't know how much time has passed when two EMTs burst through his bedroom door. His neighbor Nadine was not far behind and diverted to Victoria's room to comfort the screaming child.

The paramedics, a woman and a man, pushed Mike aside and went to work on Helen. The woman immediately observed the bluish color to Helen's face. "Cyanosis," she said, and looked down Helen's throat. She lifted Helen's wrist to check her pulse. "The body's cool, and no heartbeat," she reported. She placed her fingers on Helen's neck to check for a carotid pulse. After a brief, agonizing moment, she shook her head and glanced at the man with a look of despair and began to do chest compressions. The man lifted Helen's chin, attached a bag-valve-mask, and started ventilating her.

"Is there anything you can do?" Mike implored.

"We'll do what we can," the woman responded.

The man picked up his radio to contact the hospital.

Mike felt dizzy as he stood over the paramedics. Desperate to wake up from this nightmare, he heard the distant voice of the man report to the hospital, "woman in her early thirties . . . cyanotic . . . apparent asphyxia . . . cause unknown."

"Mommy!" Victoria screamed from down the hall.

At the sound of Victoria's cries, the paramedics exchanged a sympathetic look. "I don't want to see that little girl lose her mother," the woman said. They worked more vigorously to resuscitate Helen. For fifteen minutes they tried to revive her. The result was always the same. They could detect no pulse.

"Pupils . . . fixed and dilated," the man reported somberly to the hospital, and abruptly stopped the ventilation.

The woman reluctantly stopped chest compressions, looked at Mike with moist eyes, and said, "I wish there was something we could've done." She dropped her head and followed the man out of the room.

Mike suddenly felt very cold and alone. He eased onto the bed, cradled his dead wife in his arms, and caressed her frigid limbs.

Too soon, Mike heard the squeaking wheels of the gurney and knew it was time for her to go. He tightened his embrace around Helen's cold torso and gave her one last soft kiss on her spiritless cheek. He tenderly rested her body back on the bed and signaled for the EMTs to finish their job. Mike wiped his eyes and stood to watch as the paramedics lifted Helen's corpse onto the stretcher, covered her with a sheet, and carted her out the door.

They wheeled the gurney past the open door of Victoria's room, where Nadine clutched the anxious toddler in her arms. Nadine gasped in horror at the sight of her friend's lifeless body draped like a ghost floating slowly past. She pressed Victoria's head against her shoulder to protect the child from the awful scene. Mike drifted listlessly behind.

"Michael, what happened?" Nadine asked and struggled to hold back her tears.

Victoria turned with a start and reached for her father, her tiny face wrinkled with distress.

Mike enveloped Nadine and Victoria in his languid arms. "I don't know," he said.

"Where's Mommy?" Victoria whimpered.

Mike's grief deepened at the sudden realization that Victoria had lost her mother, and his body began to quiver. He searched for the words to explain but found none.

Nadine's swollen eyes teared up again. "I'll be around tomorrow to help you," she said, and abruptly turned and left.

Mike switched off the light and collapsed into the rocking chair, physically and emotionally drained. He lovingly cradled his motherless daughter in his arms and rocked in contemplative silence.

## FIVE

The ashen sky cast a pall over the granite headstones at Fairfax Memorial Park. A river of gloomy mourners in black funeral garb flowed slowly past Mike and Victoria, the guests' tear-stained faces expressing sympathy for the grieving widower and his daughter. Mike stood glassy eyed, staring at the fresh red roses covering Helen's casket. He forced a weak smile to reassure each of his fellow mourners that he was "going to be all right." Mike's mother, Edna, had immediately flown in from Plain City, Utah, to be with her son and granddaughter, and Victoria rested her sad face on Grandma Kingston's shoulder. Supporting friends and co-workers flanked the family, and Mike appreciated the outpouring of love from Nadine, Craig, Laura, Diane, and most of the firm's other attorneys and staff.

Not everyone appeared so sympathetic toward him though. Helen's parents, Bob and Sharon Sinclair, stood across the casket from Mike, gazing in disbelief at the funerary box bearing their daughter's body. Mr. Sinclair repeatedly glared at Mike as if his unworthy son-in-law were somehow responsible for Helen's death. The medical examiner had reported that she suffocated, but the cause was not yet released, contributing to speculation and rumors, even at the funeral.

Mike was still in shock from the premature passing of his wife. The last few days had been a complete blur to him. He barely remembered or even heard the beautiful eulogies telling stories about how loving, smart, and down-to-earth Helen was despite being raised in the lap of luxury. The funeral came together only because his mother had worked tirelessly with the local Mormon bishop and an army of church volunteers to make the necessary arrangements.

The bishop delivered a short graveside sermon, but Mike's mind was elsewhere. His thoughts were drawn instead to the happy times in their relationship. Mike remembered meeting Helen and Craig on the first day of law school. The three of them became instant friends and spent virtually every day together thereafter. He smiled when he recalled his first kiss with Helen while alone during a study session Craig missed at the beginning of their third year.

His mind wandered to the exam period at the end of that semester. Helen just finished her last exam and became violently ill. Mike had one more final exam, but he slept on the couch at Helen's apartment and cared for her around the clock. He lost precious study time and his shot at class valedictorian, but he had no regrets. This wasn't the most romantic time in their relationship, but it cemented an enduring love and devotion between them.

Mike then reflected on the birth of their daughter—the nine months of anticipation, Helen's exhaustion over fourteen hours of labor, and their indescribable joy in holding Victoria's tiny body for the first time and gazing upon her angelic countenance. Mike's recent memories of his wife and daughter, however, were dominated by first steps he didn't see, first words he didn't hear, dinners he missed, and suspicion and accusations he endured after late nights at the firm.

Mike cast his eyes down at the coffin that bore the remains of his loving wife. A few lines from *Hamlet*, a fitting tribute, came to his mind.

*Lay her i' th' earth,  
And from her fair and unpolluted flesh  
May violets spring*

The sight of a heavy-set, balding man standing under a tree apart from the group aroused Mike from his reverie. The stranger wore a shabby, tan polyester suit that distinguished him from the dark-clothed mourners. He studied Mike carefully through baggy eyes.

"You take as much time as you need, son." Warren commanded Mike's attention back to the burial service. "We'll manage without you until you're ready to return to work."

Mike acknowledged Warren's offer and glanced again at the tree. The stocky man flipped a cigarette into his mouth and lit up.

The bishop cleared his throat to get the attention of the remaining guests. "I know Mike and Victoria would want to be surrounded by family and friends this afternoon, so we've prepared a luncheon at the church for those of you who'd like to join them."

The grieving company started slowly moving in the direction of the line of parked cars. The Sinclairs tore themselves away from the gravesite, and with one last glower in Mike's direction, Bob helped his overwrought wife stagger to their black Cadillac, and they sped away.

Craig stepped toward the grave, slipped the rosebud from his lapel, and lovingly placed it on top of the casket. He stared at the coffin for a moment, then turned toward Mike. They looked deeply into each other's ailing souls, sharing empathy without a word through anguished, reddened eyes. Craig's bottom lip began to quiver, and he snatched a wet handkerchief from his pocket and drew it to his moist face.

Victoria wriggled down from Grandma Kingston's arms and reached for Uncle Craig. "Hey, precious," he said, and gathered the toddler in his arms and held her tight. "Do you want to say good-bye to Mommy?" He crouched next to the casket with Victoria.

Nadine tarried at the grave across from Craig and Victoria and broke into a fresh round of tears as she watched the child lay her head on her mother's casket then walk hand-in-hand with Craig to the car.

Laura stepped forward and put her hand around Mike's waist. He draped his arm over the paralegal's shoulder and sighed. "Thanks for your support," he said in a hushed voice.

"You know I'll always be there for you," she whispered back, and wiped her eyes.

Diane slipped away from the retreating crowd and embraced Mike one more time. They released, and Diane looked up at him with moist blue eyes. "A dozen calls came in for you at the office Friday afternoon to offer sympathy. You know there are a lot of people who really care about you."

"Thanks, Diane."

"I'll see you at the church."

Mike checked again for the stranger in the tan suit, but he saw only a smoldering cigarette on the ground beneath the tree.

He looked over at his mother, who was standing downcast next to the grave. Mike hadn't seen his small-town mom dressed so nicely, with her short brown hair styled and her makeup done, since his wedding. Gray had overtaken her temples in the years since they'd last spoken—or argued—about something that seemed important at the time. It hadn't helped Mike's relationship with his mother that Helen and Victoria had twice traveled alone to Utah to visit Grandma Kingston because he was too busy at work. They exchanged sympathetic smiles. Mike stepped toward his mother and rested his arm around her shoulder.

"It's not any easier the second time," she said, and put a supporting arm around her son's waist. "One thing that's been a comfort to me after losing your father is knowing that death is just part of the eternal plan."

"Mom, now's not a good time to talk about religion," Mike said.

"Why don't you come home to Plain City for a break?" she asked.

"People laugh at me when I tell them I grew up in Plain City," Mike said, and drew away from his mother. "No one believes it's even a real place. I don't belong in Plain City anymore, Mom."

"Why on earth would you say that?" she asked.

"Thanks for your help this week." He quickly changed the subject. "I couldn't have survived these last few days without you."

"That's what families are for," she said, "to be there for each other at times like this."

Mike's eyes widened, and his body stiffened. *How could she be so insensitive after all I've been through this week?* He clenched his teeth and steered his mother toward the waiting limousine. From the rest of the afternoon at the church luncheon until the quiet drive to Dulles for her flight home that evening, Mike avoided conversation with his mother, intimating that his silence was only grief.

## SIX

Smoke belched from the tailpipe of Detective Jarek's battered Impala as it roared down Mystic Meadow Way early Sunday morning. The tan Chevy squealed to a stop in front of the Kingston residence. Jarek had already spent hours at the home, beginning the previous Thursday morning, with his partner and an investigator from the Fairfax County Police Department Crime Scene Section. The officers had performed a routine inspection of the property for clues to the cause of Mrs. Kingston's death and for any evidence of criminal activity. They processed the scene and collected evidence, but the cause of death raised some questions, so he was anxious to interview the husband.

The detective lifted his massive frame out of the car and strode up the driveway. The man he'd been watching at the cemetery was in the garage loading clothing into the back of his Explorer. "Mr. Kingston," he said, and extended his hand. "Detective Frank Jarek, Fairfax P.D."

Mike turned and eyed the detective. "Call me Mike," he said, and gripped the detective's meaty palm with equal strength. "You must be the officer that searched my house. Did you figure out what happened to Helen?"

"We have some ideas." Jarek glanced into the back of the truck. "You buried your wife yesterday, and you're already packing her clothes?"

Mike furrowed his brow. "I figured it would make it easier for my daughter if I removed the things that would remind her of her mother."

"Where is your daughter?"

"She's staying with her grandparents in New Jersey while I take care of some things."

"I'll get right to the point," Jarek said. "Have you seen the report of your wife's autopsy?"

"I've been so busy making the funeral arrangements and trying to hold our lives together that I haven't asked for a copy yet. But the medical examiner told me she suffocated." Mike's countenance softened, and he asked in a sober voice, "How'd it happen?"

"I don't know," Jarek said. "I was hoping you'd help us figure it out."

"I wish I could," Mike said, "but she had already stopped breathing when I found her."

"Why do you say you *found* her?" the detective asked.

"I was asleep in the den, and when I came to bed she wasn't breathing, and her body was cool."

"Sleeping in the office, eh? You and the missus have a fight?"

Mike scowled. "I was finishing some work and fell asleep."

"What caused you to wake up?" Jarek continued, acting oblivious to Mike's tone.

Mike took a deep breath. "Let's go upstairs to help me visualize what happened."

Jarek followed Mike into the house and up the stairs to the overstuffed chair where he fell asleep in the office. Then Mike recalled that he was awakened by his daughter's cries and ran to her room across the hall to comfort her. Mike led the detective to Victoria's room then down the hall to the master bedroom to follow the trail. "After I rocked Victoria back to sleep," Mike said, "I changed my clothes and got into bed." Emotion filled his voice, and he stared at Helen's side of the unmade bed as he concluded, "That's when I found her, cold and still."

As he told his story, the detective studied Mike's expressions and casually checked his arms and neck for marks.

"What did you do then?" the detective asked.

“I called 9-1-1,” Mike said, moisture forming in his eyes, “and gave her CPR until the paramedics arrived.”

“Did you notice anything suspicious that evening?” Jarek asked.

“You mean other than my dead wife?”

“Anything missing?” Jarek remained stone-faced.

“I don’t know.” Mike glanced erratically around the room. “Well, when I got Helen’s property from the medical examiner’s office her wedding ring was missing. Do you think there could be a connection, or did some lackey at the morgue pinch it?”

“I’ll look into it,” Jarek said.

“Is there anything else I can do to help?” Mike asked.

“I’m going to canvas the neighborhood to see if your neighbors saw anything unusual.” The detective followed Mike to the front door and handed him a sullied business card. “Give me a call if you think of something else.”

Jarek scratched some notes about Mike in his notepad—the clothes, the missing ring, the man’s aloof demeanor—on his way to see the woman next door.

Detective Jarek had met Nadine a few days before when she let the crime scene processing team into the Kingstons’ home with the key Helen had entrusted to her. She answered the door with a friendly smile and invited him into the kitchen to enjoy a glass of lemonade to fight the morning heat.

Jarek took a long drink and set down the tumbler with a satisfied nod. “You’re close to the Kingstons aren’t you?” he began.

“Helen was my best friend.” The emotion in Nadine’s voice revealed that she was still deeply affected by the loss.

“You probably knew Helen better than anyone.”

“Other than her own family,” Nadine said, “I probably did know her best.”

“Was she experiencing any health problems?”

“I don’t think so.”

“You would have known about it if she were,” the detective said.

“Helen didn’t keep any secrets from me.”

“I know this will probably be difficult for you, but will you please try to tell me what you observed on the night of her death.”

Nadine paused to collect herself, then began to explain how she was awakened that night by the sound of an ambulance siren as it pulled into the Kingstons’ driveway. She let the paramedics into the locked house with her spare key and went inside with them. While they tried to revive Helen, Nadine took care of Victoria, so the child didn’t see what happened in the bedroom. After the ambulance left, she and Mike consoled each other, and then she went home and cried herself to sleep.

“How did Mike handle Helen’s death?” the detective asked.

“He was badly shaken,” Nadine said.

“How was the relationship between Helen and her husband?”

“They had a wonderful marriage. Why do you ask?”

Jarek picked up on Nadine’s tone and continued to press her. “It sounds like there’s something else you know about that night.”

“I told you they had a great marriage.” Nadine looked away.

“You heard something.”

“Mike got home late from work that evening,” she reluctantly continued, “and I overheard them discussing what had caused the delay.”

“They must have been *discussing* that pretty loud for you to hear it,” Jarek said. “Maybe Helen told you about recent problems in their relationship?”

“I wouldn’t say they were having *problems*. Mike had been working a lot, and Helen was just anxious for him to spend more time at home.”

Jarek began writing notes in his pad. He glanced up at Nadine expectantly, and waited a long moment for her to continue.

“Mike had been having some weird dreams lately about an old girlfriend,” Nadine continued to fill the silence. “Also a week or so ago, one of Mike’s clients at work tried to hit on him. Helen was pretty upset about that, but she said she believed nothing happened.”

“So when Mike got home late that night”—Jarek tried to complete the thought—“Helen thought he’d been with another woman.”

“I didn’t hear anything like that, but I suppose it might have come up.”

“The medical examiner observed some old bruises on Helen’s neck,” Jarek continued. “Did Helen tell you what happened?”

“That was another one of Mike’s crazy dreams earlier that same week. Mike said that he dreamed he was hanging on to a tree over a cliff and woke up with his hands around her neck. Helen was scared to death.”

“Are you suggesting that Michael might’ve had something to do with Helen’s death?”

“Oh,” Nadine gasped. “I’d never suggest anything like that.”

“The autopsy revealed that Helen suffocated, and there were some signs of a struggle.” The detective continued to act as though Nadine was putting it all together. “We found no signs of forced entry, and you said the house was locked that night, right?”

Nadine paused for a moment. “Mike has been acting strange lately, but it’s impossible. He couldn’t have done anything like that.”

“Thank you so much for your help, Mrs. Tolbert,” Jarek said. “And thanks again for the lemonade.” He stood up, and Nadine led him to the front door.

“Wait.” Nadine stopped and wrung her hands.

Jarek turned and listened expectantly.

“I think Mike had another dream.” Nadine wavered. “He saw his best friend Craig, from the firm, kissing Helen. Mike joked about it with Helen but didn’t really suspect anything, and I know she was completely faithful to him. Helen said that during law school Craig had a crush on her that lasted only a few days. But I guess you ought to know about it.”

“When was the last time you saw Craig at the Kingstons?”

“I see his car parked out front every so often—as recently as last week I think.”

“Thanks again, Mrs. Tolbert.” Jarek scribbled another note as he let himself out. “You’ve been a big help.”

“Anything for Helen,” Nadine said, and eased the door closed behind him.

The detective walked to the houses across the street to continue his canvas. The people who lived there gave near uniform responses—they hadn’t seen any strangers around, they hadn’t noticed anything unusual at the Kingstons’ house, and they didn’t have any ideas about what could’ve happened to Helen. Jarek figured he was wasting his time until he reached the next-door neighbor on the other side of Mike’s house.

Mrs. Barney opened the door as soon as Detective Jarek arrived at the front stoop. “You must be the detective,” she said with a friendly southern drawl. “I’m Velma Barney, the head of our neighborhood watch group.”

Jarek grinned at the irony as the white-haired woman squinted at him through her Coke-bottle glasses.

“I called Nadine Tolbert as soon as you left her house,” she continued. “She said you’re investigating Helen Kingston’s death? Well come on in and let me tell you what I know.”

Jarek shook the amazement off his face and started in the open door. “Pleased to meet you, ma’am,” he said.

Before the detective could get another word out, she had a tray of tea and warm cookies in front of him in the sitting room. Mrs. Barney chattered away about her seventeen grandchildren, four great-grandchildren, her late husband Wendell, and her nephew who had triplets last month. When she took a breath to think of the third baby’s name, Jarek interrupted. “So you might know something about Mrs. Kingston?”

Mrs. Barney seamlessly switched gears. “You know sometimes I can hear the Kingstons’ baby monitor over the cordless telephone. Isn’t that strange? One time I was on the phone with my daughter Nellie—her husband’s a dentist in Florida—and she could hear a baby crying. She asked if I’d had another baby. She was joking, of course. It turns out it was the Kingstons’ baby monitor we were hearing. So, the other night, I think it was Sunday, I was talking to my sister Abby, and I heard the baby monitor again, and it was Michael Kingston singing his darling little Victoria to sleep. Then he said something about killing Helen.”

Jarek dropped his cookie into his tea and sat with his mouth agape. “Huh?”

“I think it was a Beatles song he was singing.”

“He said he was going to kill Helen?”

“He said ‘before I kill Helen’ or something like that. Would you like some more tea?”

“Who was he talking to?” the detective eagerly continued.

“I only heard Mr. Kingston’s voice, so I don’t know.”

Jarek was dumbfounded and frantically scribbled a few notes in his pad. “Does Mr. Kingston know you heard this?”

“I don’t think so.”

“Is there someone you can stay with for a few months in case we need you to testify? Just as a precaution.”

“I can stay with my son in Alexandria,” she said. “Wait, I get to testify? Just like on *Law & Order*? How exciting. But I don’t know what to wear.”

“Have you noticed anything else unusual lately?”

“A couple of times within the last month or so, I saw a strange dark sedan parked across the street at about midnight,” the elderly woman observed. “I never saw who was in it because it was always too dark.”

Jarek licked the crumbs from his fingers. “Boy you take this neighborhood watch seriously. What are you doing awake at midnight?”

“Usually talking to my son David in Los Angeles or my sister in Portland.”

The detective swished his tea around to gather the sediment and slurped the cookie-sludge. “Give me a call when you get settled at your son’s place.” Jarek arose from his chair and handed the woman a business card. “Thanks for your time. You’ve been a big help.”

Mrs. Barney opened the front door. “Good-day, detective,” she said, then muttered to herself, “I’ve got to go call Abby.”

Jarek slipped out into the heat. And as he walked back to the Impala, he noticed Mike eyeing him from a second-floor window.

▪

Late Monday morning Jarek picked up his partner, Gavin Woods, from the Old Town Fairfax station house and headed to BW, where Gavin had made arrangements for them to continue their investigation. Gavin was a lanky, fresh-faced detective who had not yet succumbed to the bad habits or cynicism of his partner. Jarek updated Gavin on the neighborhood canvas as the Impala sputtered toward D.C.

“Nadine Tolbert, the next-door neighbor, said the Kingstons were having a fight the night of Helen’s death. Helen suspected he’d been fooling around.”

“Are you serious?” Gavin asked with a skeptical glance at his partner, who had a habit of embellishing.

“And the old bruises on Helen’s neck—” Jarek continued, “Nadine said Mike had a dream one night and tried to strangle Helen. Sounds to me like they were into something kinky.”

“What did Mike say about the strand of hair we found in the bed and the skin under the decedent’s nails?”

“I didn’t tip my hand yet. I want to find some more evidence to prove that the hair belongs to his mistress, and then we’ll *discuss* that with him. Oh, it gets even better,” Jarek flashed a mischievous grin. “Mrs. Barney, who lives on the other side, said that she overheard Mike on the baby monitor. He said he was going to kill his wife.”

“Unbelievable! How’d she overhear the Kingstons’ baby monitor?” Gavin asked.

“It sounds like she picked up the signal on her old cordless phone. We’re going to need an electronics expert to take a look at that baby monitor and telephone.”

“Let’s get a warrant for Mike’s arrest and seize the baby monitor,” Gavin exclaimed.

“Whoa, cowboy. He’s not going anywhere. We’ll stick with our game plan and interview his co-workers at the firm this morning. They’ll clam up as soon as word gets out that Mike is under suspicion for murder.”

▪

At the law firm, the detectives first had a preliminary conference with Warren Baker to establish ground rules. Warren explained that he had asked his attorneys and staff to be as cooperative as possible. “But,” the attorney warned, “the firm’s reputation is *very* important to us, and we will vigorously protect it.”

Randall McKenzie’s secretary, Carol Douglas, then escorted the detectives down the hallway. She left Detective Woods to talk with Mr. Williams’s secretary. Carol then showed Detective Jarek into Randy’s crowded office. She announced the detective and closed the door behind her as she left. The attorney remained seated at his desk tapping on his computer keyboard.

“As you’re probably aware, we’re investigating the death of Helen Kingston.” Jarek wandered around Randy’s cluttered maze and glanced at the photos of the attorney posing with President Clinton, U.S. Supreme Court Justice Brennan, and Senator Ted Kennedy.

“You think she was murdered,” Randy responded directly without looking up.

“We’re just checking all available sources of information in order to find out what happened. She suffocated in her bed, and it’s too early to rule out foul play.”

“You probably think Mike had something to do with her death,” Randy said, and made his first eye contact with the detective. “That’s simplistic thinking. They had a great marriage, and everything was going right for Mike. He just settled the biggest case of his career and was voted into the firm’s partnership.”

The detective narrowed his gaze and resisted the urge to show all his cards. “Do you know if Mike or Helen had any enemies?”

“Good attorneys always have enemies.” Randy’s voice cracked. “I’d start by looking at Kidz Play, the defendant in the litigation he just settled.”

“If they settled the case, what would they have against Mike?”

“He caused serious hurt to the company and its president and exposed potential misconduct by their attorney. They could be angry enough at Mike to commit such a heinous crime.”

“I can probably get contact information for Kidz Play through Mike’s secretary,” Jarek assumed out loud.

Randy glanced at his watch. “Now if you’ll please excuse me, I have to go to court.”

“Thanks for your time,” Jarek said.

“Helen’s death has destroyed Michael and his daughter.” Randy’s face became red as he scolded the detective. “Don’t put them through misery with fanciful allegations that he had something to do with it.” He grabbed his coat and briefcase and stomped past the detective.

Jarek emerged from the cluttered office and approached Carol as she was hanging up the telephone. “Where’s Mr. Kingston’s office?”

Carol leaned across her desk and pointed at the closed door at the other end of the hall. Jarek nodded and marched down the corridor.

A young-looking man with short auburn hair appeared at Mike’s office and tried the handle. “Grace!” he called back up the hall, “Mike asked me to take over the Kidz Play settlement, but his office is locked.”

“Hey, Craig,” Grace answered as Jarek reached the end of the hall. “Someone must’ve locked the door. I’ll print another copy for you.”

“You must be Craig,” Jarek said to the attorney. “I’m Detective Jarek. Do you have a moment?”

“What’s up?” Craig asked, eyeing the stranger.

“Warren Baker invited us to talk with members of the firm about Helen Kingston. Since I know you were close to the family, I hoped you’d have some helpful information.” He lowered his voice. “Can we talk privately?”

Craig’s disposition softened. “Did you figure out what happened?” he asked and led the detective into his office.

“We know she suffocated,” he said in a secretive voice. The detective closed the door behind them and settled into a guest chair. “And apparently someone helped.”

“That’s ludicrous,” Craig exclaimed. “Helen didn’t have an adversary in the world.”

“There were signs of a struggle,” Jarek said. “You don’t fight when you just stop breathing from natural causes.”

“Who could’ve done this?” Craig sank into his chair, visibly distraught.

“We were hoping you might be able to shed some light on that. Why don’t you begin by telling me about your relationship with Mike and Helen?”

Craig explained that the three of them met their first year in law school. They all became fast friends, even though it seemed like an odd match at first. Helen was from a wealthy New Jersey family. Mike grew up in a farming community in rural Utah. Craig came from upstate New York.

The trio did everything together, but the battle in the trenches for grades forged a lifelong bond of friendship. Mike and Craig worked hard with Helen to defeat the “enemy,” but there was always a little underlying competition between the men. The teamwork and dedication paid off. All three of them finished in the top ten percent of their class after the first year. During their second year, Mike and Craig worked on the law review, and Helen spent any extra time she had working at the free legal clinic.

It wasn't until their third year, when the competition for grades eased, that they were finally able to relax and have fun. It was then that Mike and Helen realized they were attracted to each other.

“Did you compete for Helen's affection the way you did for grades?” Jarek asked.

“No. She was like my sister.” Craig's eyes began to mist as he reminisced about Helen. “I was really happy to see my two best friends get together.”

“*You* obviously didn't want to see Helen dead.”

“What're you saying?”

“Relax.” Jarek pressed his palms downward. “I'm not saying anything. *Mike* said he dreamed you were kissing Helen. We have to follow up on every lead.”

“He told me about that dream”—Craig sounded defensive—“and I told him there was no chance she was having an affair with me or any other man.”

“What about Mike? Is he fooling around?” the detective asked with a self-satisfied smile.

“No way.” Craig was emphatic. “Lots of women have tried. But he's never cheated on Helen.”

“We found a strand of blonde hair on Mike's bed, and it obviously didn't come from Helen or Victoria.”

“I don't believe it,” Craig said, and folded his arms tight across his chest.

“Mike got home late the night Helen died,” Jarek continued.

“I know,” Craig interjected. “I was with him.”

“Just listen for a minute,” Jarek said. “Mike got home late, and Nadine Tolbert next door overheard him fighting with Helen *again* about being with another woman. Mike told me he fell asleep in the den that night and then just found Helen dead in their bed early in the morning. But the medical examiner's report shows that she suffocated and that there were signs of a struggle. The M.E. also noted some old bruises on Helen's neck from a *previous incident*.”

“That was from a dream—Mike was sleepwalking,” Craig insisted, and shook his head. “It must've been someone else.”

“There were no signs of forced entry. Besides, who'd have a motive to kill Helen?” Jarek proceeded to make his case. “You said she didn't have enemies.”

Craig furrowed his brow.

“I know you don't want to hear this,” the detective continued, “but the Kingstons' other neighbor overheard Mike saying that he was going to kill Helen.”

Craig dropped his head and closed his eyes. Finally, after a profound silence, he spoke again in a quiet sober voice. “Mike has been acting very strange lately.”

“Mike told me that he confronted you about having an affair with Helen and that you were evasive.” Jarek stroked his chin. “I don't think I need to connect the dots for you.”

“He insinuated that you should look at *me* as a suspect? Even if I was having an affair with Helen, which is ludicrous to even say out loud, why would that give me a reason to kill her?” Craig huffed. “I can’t believe my best friend would accuse me of sleeping with his wife, let alone *killing* her.”

“This must be hard for you to hear,” Jarek said.

“You think you know someone so completely.” The young attorney gripped the arms of his chair. “Ask him about his blonde client, Tanya, from Mindtech. You should also look at Laura, the paralegal that Mike is always hanging out with, and the other blonde home wreckers in the office.” Craig turned away from the detective and sat quietly staring out the window with a blank expression.

“Thanks for discussing these difficult issues with me. Give me a call if there’s anything I can do for you.” Jarek placed his business card on the edge of Craig’s desk and left quietly.

▪

Gavin learned from his first interviews that Mike was very popular among the staff although he sensed some jealousy among the men because of the attention Mike got from the women. No one was aware of any health reasons for Helen’s death or any motive for murder. And the gossipy secretaries were eager to tell him how much time Mike spent with Laura Ashton, so Gavin was prepared when he found the paralegal in her office.

“Ms. Ashton,” he said in a friendly tone, “I’m Detective Gavin Woods.”

Laura sighed and looked up at him hesitantly. “I’m supposed to cooperate, so come on in.”

“I understand you’re a close friend of Mr. Kingston.” Gavin pushed the door closed then took a seat. “Helen’s death must have been devastating for you. I’m very sorry.”

“It’s been a rough couple of days,” she said in a rasping voice.

Gavin gave a sympathetic smile and continued. “As you might have guessed, we’re investigating Helen’s death.”

“Mike told me that she suffocated.”

“That’s what the medical examiner concluded.”

“What an awful way to die. How’d it happen?”

“We don’t know yet, but we’re exhausting every available source to find out.” Gavin spoke in a reassuring voice.

“I’ll help any way I can,” Laura responded.

“How long have you known Mr. Kingston?”

“When I started at the firm about two years ago, I worked on a huge environmental case Mike was managing, and we became instant friends.”

Gavin paused. “There’s a possibility that Helen didn’t die from natural causes.”

“You think she was murdered?” Laura cried out in horror. “That’s impossible!”

Gavin reached across the desk and placed his soft warm hand on top of hers. “I know this is difficult for you, but we really need your assistance.”

Laura grabbed a tissue from her desk drawer and dabbed her eyes. “I don’t know how I can help.”

“Does Mike have any enemies?” Gavin continued.

“Mike is a wonderful guy”—she sniffed—“but he’s not without adversaries. Like the Kidz Play case that settled last week. I’m sure Mike generated some animosity with them and a dozen other former opponents. But I never thought any of them could be capable of murder.”

“Did anyone ever threaten Mike?”

“Not that I’m aware of.”

“Did the Kingstons owe money to anyone?”

“Doesn’t everybody?” They both smiled, which lightened the serious tone of their discussion. “I don’t know of anything unusual, like gambling debts,” Laura continued.

“Can you think of any other reason someone might have a motive to kill Helen?”

“Nothing. That’s why it’s so hard to even imagine she was murdered.”

“Jealousy is a possible motive,” Gavin offered. “You’ve heard of crimes of passion?”

“Jealous of what? Mike and Helen had been happily married for years.”

“Mike is quite popular with the women in the office isn’t he?”

“We used to laugh about how forward some of these girls are,” Laura said.

“Well, there are a couple of possibilities we’ve been exploring, and I hope you understand that I have an obligation to ask about them. One possibility is that Helen was having an affair, and her lover got angry when she broke it off.”

“That’s ridiculous,” Laura said.

“It’s more likely that Mike was involved with another woman.”

Laura bolted out of her seat. “You think Mike had something to do with Helen’s death?”

“Let’s not jump to any conclusions.” Gavin tried to calm Laura again. “We need to see if there’s any reason to believe Mike was involved with another woman before we even start thinking about the ramifications.”

Laura sat back down, collected herself, and declared, “Mike was not having an affair.”

“Let’s back up a little. You said that there are women in the office who’ve tried to pursue relationships with Mike.”

“He’s told me about Delores in accounting and Maryanne in the library.”

“I visited with them,” Gavin said, “and both professed they had no interest in Mike, of course. Delores is the blonde, right?”

“Yeah, and Maryanne is a redhead.” Laura got a curious look on her face. “If someone told you they saw Mike with a blonde it was probably me.”

Gavin took a deep breath and paused. “You spend a lot of time together don’t you?”

Concern swept across Laura’s face as she drew out her answer. “Yes.”

“Most people around here think the only person Mike could’ve been having an affair with is you.”

Laura shifted in her seat. “That’s absolutely not true.”

“Then how do you explain spending so much time with him?”

Laura avoided the detective’s gaze. “We’re just good friends.”

“You’ve never had a romantic interest in each other?”

Laura finally faced the detective. “Mike’s like a brother to me,” she said with pleading eyes.

Gavin sensed he would jeopardize the trust he’d established if he continued, so he arose from his seat and handed her a business card. “I appreciate your help.”

Laura’s posture relaxed.

“Call me if you think of anything else,” the detective said as he turned and left.

Detective Woods interviewed the remaining staff members, who told him the same story—well liked, family man, great attorney, tragic loss. No one named any new blonde flirts. He made notes while he waited for his partner in the library conference room where Grace had directed him.

“What a load of crap,” Jarek fumed as he stormed into the room. “Now they’re toeing the party line—Mike was a model employee, had a perfect marriage, and had no financial problems. I’m sure Baker made them all clam up after they heard the direction our investigation is going. It’s a good thing I got to Mike’s best friend first. He seems to think that Mike killed his wife because he was having an affair and got into a fight with Helen over it.”

“Wow, Frank, you made great progress,” Gavin said. “My discussion with Laura Ashton was productive too.” He flipped to his notes and summarized the details Laura had given him. “She said they’ve had no romantic involvement, but she was concealing something.”

“Let’s get Mike to the station house. My gut tells me we’ll close the case tonight.”

▪

Jarek smirked when Mike arrived at the district station that evening. Mike had consented to meet the detective again to “discuss the case.” *This arrogant attorney is in my house now*, Jarek thought, as he escorted Mike into the coffee room. Detective Woods followed a step behind.

“Did you figure out what happened to Helen?” Mike asked.

“We’ve discovered some additional information we want to discuss with you,” Jarek said. He pulled out a chair for Mike at the table. “By the way, this is my partner, Detective Gavin Woods.”

“Thanks for meeting with us on such short notice,” Gavin said as he shook hands with Mike. “Would you like some coffee?”

Mike shook his head, and Gavin filled two cups of water and set one in front of Mike.

Detective Jarek seated himself across from Mike. “For my partner’s sake, why don’t you tell us again what happened that night.”

Mike sat with his hands folded on the table and calmly recounted the story. Jarek observed that Mike was more composed this time as he talked of his wife’s death. He concluded by explaining that the paramedics came, but they were unable to revive Helen.

“Let’s back up a couple of weeks.” Jarek adopted a more adversarial tone. “Tell us about Tanya Hoff.”

“It sounds like you already heard the story,” Mike said.

“Why don’t you tell us your version,” Gavin said in a friendlier voice.

“I was working late in my office,” Mike began.

He recalled that a curious yellow envelope had slid under the door. Mike glanced at the clock. It was after nine o’clock. He picked up the light envelope and tipped the contents onto his desk. A typewritten note and a long silk scarf fell out. The note was brief: “Put on the blindfold.”

Mike said to himself, *This must be the surprise Helen mentioned this morning*. He plopped back down into his desk chair and excitedly tied the blindfold over his eyes. A knock came at the door.

“I’m ready,” Mike said, his voice rising with anticipation. He heard the door swing open and then swiftly close. The lock engaged. Beverage spilled into two goblets. One of the long-stemmed glasses was placed into Mike’s hand. Silky fabric glided along his bare arm. His heart raced, and he set the drink down. Soft lips kissed him tenderly on the neck. He reached up to run his fingers through her long brown hair, but he felt coarse curls instead of soft tresses. His stomach sank, and he tore off the blindfold.

“Tanya!” Mike exclaimed and sprang out of his chair. “What’re you doing?”

“Helping you celebrate becoming a partner.” Tanya extended the goblet to him again, but he refused.

“I haven’t even made partner yet.” Panic swept across his face, and he stomped erratically around the room.

“Have a drink with me, and I’ll see what I can do.”

“You know I’m married. And even if I wasn’t, I couldn’t fool around with a client.” Mike unlocked the door and glanced around the dimly lit hallway. No one was around.

“Don’t give me that ‘principles’ crap,” she responded. “You’re going to be a BW partner. You don’t have any principles.”

“Get out,” Mike demanded. “And you can find another attorney.”

“You’re all the same in the beginning,” Tanya continued to taunt him then had brazenly strutted out of Mike’s office and down the hall.

“I gulped the wine to empty the glasses,” Mike told the detectives, “and sneaked out the back stairwell.”

“Sure you did.” Jarek grinned.

“I left the blindfold and wine in my desk drawer. See for yourselves.”

“Well don’t stop there,” Jarek said. “You had a fight with your wife about the visit from Ms. Hoff, didn’t you?”

“I got home quite late that evening.” Mike remained cool. “Helen discovered the alcohol on my breath and Tanya’s lipstick on my neck and made assumptions. I explained that I was blindfolded and thought Tanya was her, which only made things worse. But when Helen heard the whole story, and I told her that the firm is no longer representing Mindtech, she understood.”

“Miss Hoff has blonde hair doesn’t she?” Detective Jarek asked and eased back in his chair.

“Yes, she does. Why?”

“We found a strand of blonde hair in your bed.”

“I can’t imagine whose it is or how it got there,” Mike said, and stared at the scowling detective. “But if it’s Tanya’s it must’ve been stuck to my clothes because she’s never been in my house.”

“You had another fight about Tanya on the night of Helen’s death,” Jarek said.

“I wouldn’t call it a fight.” Mike folded his arms. “The firm surprised me with a reception to celebrate becoming a partner, and I got so caught up in the festivities that I forgot to call Helen.”

“So what did your wife say when you got home?” Gavin asked.

Mike turned toward Detective Woods. “She was pretty angry at first and accused me of being out with Tanya, but she didn’t break any dishes. I explained to her about the reception, and she admitted she’d jumped to conclusions. The real problem was that she was lonely and frustrated because we rarely saw each other. After I explained what happened, she was fine. We never went to bed angry.”

“You had a screaming match!” Detective Jarek pounded his fist on the table. “All the neighbors heard it. Helen kicked you out of bed and made you sleep in the office.”

“You know that’s not true,” Mike responded in a stern voice. “Helen went to bed early, and I stayed up to work and fell asleep in the chair.”

Jarek lifted his large frame out of his seat, looked up at the ceiling, and rubbed his stubbly chin. “I’ll tell you what I think happened, and you should seriously consider getting behind this.” The detective shuffled around the table and stood next to Mike. “I think you did make up after your quarrel as you said. In fact, you did such a good job of apologizing and making Helen feel guilty that she made it up to you in bed.”

“That didn’t happen.” Mike remained composed.

“But you guys,” Jarek continued, “you were into the rough stuff. You would heighten your wife’s pleasure by depriving her of oxygen.” The detective pressed his thick fingers against his own throat.

Mike dropped his stoic façade, and a look of disgust slowly crept onto his face. “That’s not true, and you know it.”

“But this time, you went too far. You placed a pillow over her face and pressed down forcefully.” Jarek covered his face with his hand, mimicking the action.

“No!” Mike exclaimed.

“She struggled and fought for air, but you thought that she was enjoying it, so you pressed the pillow tighter against her face.”

“I did not smother my wife.” Mike spoke slowly and firmly through clenched teeth.

“When she stopped moving, you thought she was just relaxing. But when you removed the pillow, she wasn’t breathing.”

“If that really happened,” Mike replied, “the medical examiner’s report would say so.”

“You panicked. You waited for a while before calling the hospital and made up the story about finding her dead in order to cover your tracks. Look”—Jarek continued to patronize—“we all know that’s not what really happened. But can’t you see I’m trying to do you a favor. I think I can get the commonwealth’s attorney to let you plead to negligent homicide, and we can forget about your blonde girlfriend. You’ll get five to seven and be out in time to see your baby girl blossom into a young lady. I know you’re a smart guy, Kingston. You’ve already considered this alternative.”

“The only alternative is to deny whatever allegations you dream up because I had nothing to do with Helen’s death.”

“Then how do you explain those old bruises on her neck,” Gavin said. “I want to believe you, Mike, but you know the old bruises don’t look good.”

Mike turned back toward the young detective. “I came here to help you tonight, and now you’re accusing me of killing my own wife? I think I need an attorney.”

“You *are* an attorney,” Jarek said. “What are you worried about if you did nothing wrong?”

Mike gritted his teeth and exhaled. “I had a nightmare. I think it was Sunday of last week. I dreamed I was falling over a cliff and grabbed hold of a tree. When I woke up, I was horrified. I had my hands around Helen’s neck.” Mike turned back toward Jarek. “I’m sure my neighbor Nadine already told you about that, or my friend Craig.”

“Craig thinks you made up the dream.” Jarek smirked. “He says you’ve been acting crazy lately.”

Mike narrowed his eyes at the detective and barked, “Craig did not say that.”

Jarek planted his thick arms on the table and bore down on Mike. “Why didn’t you tell me about this *dream* when we talked on Sunday? Or your raging fight with Helen hours before she died?” Jarek leaned closer into Mike’s face. “What are you trying to hide?”

Mike folded his arms.

“There was no sign of forced entry at your house,” Gavin continued in the good-cop tone, “and the paramedics found it locked up tight when they arrived, with all the deadbolts thrown and the windows latched. You haven’t identified anything missing other than a few small personal effects. This doesn’t appear to be a burglary gone bad.”

Mike took a deep breath. “Someone could have entered with a key and awakened Helen before finding anything of value to take.”

“Who had a key other than you and Helen?” Gavin asked.

“Only Nadine, next door, as far as I know,” Mike answered

“Surely you’re not suggesting Nadine broke in and snuffed her best friend,” Jarek said.

“You geniuses find my wife dead with the door locked and leap to the conclusion that I must’ve killed her.” Mike took a sip of water and swallowed hard. “Helen and I loved each other very much. Why on earth would I kill her?”

“We’ll have to ask your girlfriend.” Jarek gave a smug grin.

“That’s outrageous!” Mike gripped the edges of the table firmly. “If these slanderous allegations get out, you’ll ruin my career—if you haven’t already done so by telling my colleagues that I’m an adulterer and a murderer.” He stood and came face-to-face with the senior detective. “Consider yourselves warned that if these accusations become public, the county will face the nastiest lawsuit it’s ever seen.”

A solid knock came at the door. The men froze then turned toward the sound. Gavin walked over and cracked open the door. Jarek and Mike stepped away from each other, fuming.

“Sorry to interrupt,” a female voice behind the door said.

“What’s going on?” Gavin asked.

“There’s a woman here to see you.”

“It’s my colleague, Laura Ashton,” Mike announced. “I asked her to come.”

“She asked for Detective Woods,” the woman’s voice said.

Gavin and Jarek exchanged looks.

“Ask her to wait in the interview room,” Gavin said.

Jarek turned back toward Mike. “Maybe that blonde hair belongs to your *friend* Laura.”

Mike’s eyes opened wide. “You think I had an affair with Laura?”

“Her body language gave it away,” Jarek said.

Mike chuckled and shook his head.

“Why is that so crazy?” Gavin asked.

“You should ask Laura,” Mike said.

Jarek’s face grew hotter. “Wait here,” he said as he made his way to the door.

Mike threw his shoulders back. “What do you mean *wait here*? Am I under arrest?”

“Not yet,” Jarek said as the detectives marched out of the room.

Jarek paused at the entrance to the interview room, looked back over his shoulder, and glared at Mike striding out of the building. Jarek clenched his fists and proceeded into the room as Detective Woods greeted Ms. Ashton, who was seated at the table.

“This is Detective Frank Jarek.” Gavin gestured toward his agitated partner. “What brings you here tonight?”

“I just came by to give you something.” Laura reached for a bag on the floor.

Jarek flinched and instinctively reached for his side even though he wasn’t armed.

“Mike asked me to bring this from his office,” Laura said as she withdrew a plastic grocery sack. It clanked as she set it on the table. “I guess this is what Tanya Hoff left behind.”

Detective Woods gave a wide-eyed grin to his partner. Jarek peered inside and found a half-empty bottle of wine, two glasses, and a silk scarf.

“Did you touch anything?” Jarek asked and slid the bag over to Gavin.

“I pulled the sack from Mike’s desk as is,” Laura said.

“Mike’s office was locked,” Gavin said. “How’d you get in?”

“He gave me a key to access his files when we were working on the Kidz Play case.”

Jarek glanced at his partner. It was too coincidental that the most likely mistress showed up that same evening with evidence potentially linking another woman to the crime scene.

"I'm glad I could be of assistance," Laura said, and started to get up.

"Why are you in such a hurry to leave?" Jarek asked. "Have you got something to hide?"

"If I had something to hide, I wouldn't be here on my own initiative," Laura said.

"If you and Mike aren't lovers, why are you so afraid to talk about your relationship?" Jarek demanded.

Laura shifted in her seat. She looked at Gavin, but he remained silent.

"Everyone at the firm says you and Mike are always together," Jarek's voice grew harsher, "and you expect us to believe you're not fooling around?"

Laura took a deep breath. "If we were having an affair, why would we let everyone see us together?"

"Laura." Gavin said a friendlier tone. "You must know that under the circumstances we'd be suspicious of a woman who spends so much time with a man whose wife ends up dead. If you have more information to help clear your name, you should let us know now."

Laura sat for a moment, wringing her hands and squirming in her chair. Jarek grew more irritated with each passing second. The tension in the room multiplied with each tick of the wall clock until Jarek felt as though he was going to burst.

"What are you trying to hide?" Jarek finally blurted out.

"We're cousins!" Laura said.

"Cousins?" Gavin asked.

Laura fretted as if she'd just disclosed some military secret. "The firm has a very strict nepotism policy, and I'd be fired in a second if they knew I was related to Mike."

Gavin turned to his partner. "Cousins." They shrugged their shoulders.

"No one knows but Mike," Laura continued, her voice trembling, "and I need to keep it that way to remain employed."

"Then you won't have any objection to giving us a hair sample and cheek swab?" Jarek tried to maintain the intimidating demeanor.

"I'll cooperate fully, but please don't disclose any personal information about me or my relationship with Mike."

"We won't say anything," Gavin responded. He picked up the evidence, and held the door open for Laura. "I'll take you to the lab."

Detective Jarek was not a religious man, but as he watched Gavin take Mike's *cousin* and Tanya Hoff's articles to the lab, he silently prayed for a DNA match so they could close the case.

## SEVEN

Mike's cell phone buzzed early Tuesday morning. He sat up on the edge of his bed and rubbed his eyes. He'd received a text message from a client that read, "How can The Post print such slander?"

Mike panicked. He grabbed his robe, raced outside, and snatched the morning edition of *The Washington Post* from the driveway. Just inside the front door he pulled out the Metro section and found the headline on the bottom half of the first page, "Fairfax Attorney Questioned in Wife's Death." He clutched the edges of the page and trembled as he read the article. The story called him by name and reported that Fairfax County detectives were investigating him for the

apparent murder of his wife. Finally, as if it couldn't get any worse, the story reported that Mike was "a newly crowned partner at Baker, Williams & Levine, a prominent Washington law firm."

Mike erupted. He seized a flower vase from the end table and fired it at the living room wall. The vase exploded in a blizzard of broken glass, water, and rose petals that settled like Technicolor snow and razor sharp ice crystals on the leather sofa. "If I ever find the maggot that did this to me I'll kill him!" He pounded his clenched fist against his palm. "And those stupid detectives that blabbed to the press. I'm going to tear the head off that fat cop!"

Mike stormed up the stairs and into the bedroom. He found Jarek's card on his nightstand, snatched the telephone, and pounded the number on the handset. His blood pressure escalated with each successive ring. The switchboard operator finally answered and transferred his call to Detective Woods.

"Fairfax detectives," Gavin said.

"Detective Woods," Mike snapped. "I told you not to go to the press. You lazy cops don't care about the truth. You don't care whose life you destroy!"

"Mike. Calm down." Gavin said. "We haven't told the press anything."

"*The Post* says you think I murdered my wife." Mike was still fuming.

"I haven't seen the article, but I assure you we had nothing to gain by publicizing our investigation."

"Why should I believe you? You're trying to hang me!"

"We're just trying to find out what happened."

"I've told you everything I know." Mike's anger turned to desperation, and he blew out a deep breath. "You must have overlooked something because I had no reason to kill my wife."

"I'll call you with lab results later today," Gavin said. "Hold tight until then, okay?"

"Easy for you to say," Mike said, and hung up the telephone. He flopped onto the bed and buried his face in despair.

▪

The phone rang and aroused Mike from his trance.

He picked up the handset and exhaled. "Hello."

"Mike, it's Randy. We need to talk about the article in *The Post*."

"Yeah, I saw it," Mike replied without concealing his anguish.

"I know you didn't kill Helen. Warren asked me to help you deal with the criminal allegations."

"I appreciate that," Mike said.

"Can you meet me at my office this morning?"

"I'll be there in about an hour and a half. Thanks, Randy."

▪

As Mike ascended in the elevator, he took a deep breath, put his fidgety hands in his pockets, and tried to relax. He felt awkward making this his first day back since he became partner and buried his wife, and he was certain that everyone in the office was spreading gossip about the accusations.

Mike's discomfort eased when he saw Diane's friendly face at the reception desk. Her smile was warm and sympathetic.

“Hi, Diane. Thanks again for the flowers.” Mike thought of his multihued living room and suppressed a sheepish grimace.

“How are you, Mike?”

“Terrible, this morning.” He glanced around the lobby to see if anyone else had noticed his arrival.

“What happened this morning?”

“Someone leaked to the press that I’m being investigated—for Helen’s death.”

Diane froze with a mortified expression. “They think *you*—?”

“I’m meeting with Randy this morning to find a way out of this mess.”

“If there’s anything I can do,” Diane pleaded with a far-off look, “please let me know.”

“Help me find the person that’s blabbing to the press,” Mike said as he started toward Randy’s office.

Mike passed a few secretaries and a mail clerk, but he stared straight ahead and walked quickly. He heard the whispering begin as soon as he passed by.

Randy cleared the books off his guest chair when Mike arrived. “How’re you handling all this?”

Mike sighed and sank into the chair. “Not so well,” he said.

Randy looked Mike directly in the eye. “You and I both know you didn’t do this. We’ve got to figure out how to convince the commonwealth’s attorney.”

Mike gazed up at his friend with a faint glimmer of hope.

“Warren used his connections to get us early discovery of the commonwealth’s evidence. So I called Detective Woods this morning,” Randy said, and sat behind his desk. “He summarized the evidence they’ve gathered in their investigation, and later this afternoon he’s going to send us copies.”

“Did they get the results back on the physical evidence?” Mike asked.

“The detective said he would call me today as soon as he receives the report.” Randy took a deep breath and exhaled slowly. “We’ve got a few puzzles we have to work through. The current theory is that you had a fight with Helen that night, like you had before, about whether you were having an affair. The crime-scene investigators found a blonde hair on your pillow—the same pillow that was apparently used to suffocate Helen. They claim she made you sleep in the office, and you came into the bedroom in the middle of the night, pressed a pillow against her face, and smothered her. You called 9-1-1 and pretended to try and revive her. The paramedics arrived within minutes and found the doors locked. But Helen had already been dead about half an hour by that point, based on the paramedics’ observations about the color and temperature of her skin. There was no sign of forced entry and no one else with a motive to kill her, so they conclude you must have done it.”

Mike felt a dark cloud overshadowing him and his despair intensifying.

“We’re going to learn what really happened,” Randy said. “Unless they find the alleged girlfriend, who doesn’t exist, they have no motive.”

Mike nodded his head in agreement.

“I know this is difficult for you to talk about,” Randy continued, “but the only way we’re going to be able to solve this is by thinking like lawyers.”

Mike knew Randy was right. He wasn’t going to solve his problem through self-pity but only through the same dogged persistence he’d built his career upon.

“Now, let’s start at the beginning,” Randy said. “Why were you fighting?”

Randy took notes as Mike explained that he got home late Wednesday night because of the partnership reception. He described how angry Helen was because she thought he was out with another woman. Mike unfolded the lipstick story, which had raised Helen's suspicions.

Randy asked about who Mike spoke with at the reception, whether he stood next to anyone with blonde hair, and if anyone acted suspicious. None of the answers appeared to be very illuminating, but Randy insisted on being thorough.

Mike continued to explain that they settled their argument quickly, once Helen disclosed she was more concerned that she never saw him anymore. After they made up, he went to the den to finish some work and fell asleep in his chair.

"What's the next thing you remember after you woke up in the office?" Randy asked.

Mike closed his eyes to picture the scene. "I heard Victoria calling for me, so I ran to see her."

"Why did your daughter call for you?"

"She had a bad dream—a monster was in her room."

Randy's eyes opened wide. "Your daughter saw someone in the house?"

"Do you really think she did?" Mike asked, frustrated that he hadn't thought of this before.

"You tell me. What is she now about two?"

"Almost," Mike replied, and then his expression turned sullen. "She's not competent to be a witness in court, and I can't testify to what she told me because that would be hearsay."

"You're right," Randy conceded. "But it shows that someone else might have been in the house. We just have to find the evidence to identify him. We also might be able to use this to persuade the commonwealth not to charge you."

"That's a great point," Mike said.

"Did Victoria describe the person she saw?"

"She's not big on adjectives yet."

"What happened next?" Randy continued.

"I rocked Victoria back to sleep. She was pretty upset."

"How long were you in her bedroom?"

Mike thought for a moment. "I was very tired, so it seemed like a long time. But it was probably about seven minutes."

"Then what'd you do?"

"I went to bed. No, I was still in my clothes, so I must've changed and brushed my teeth before I got into bed." Mike anticipated the next question and added, "that took about seven to ten minutes."

"That's only about fifteen minutes." Randy wrote some figures down on his yellow legal pad. "Add about ten minutes for the paramedics to arrive after you called them for a total of twenty-five minutes. Pretty close."

"I didn't immediately notice Helen was dead," Mike said. "I crawled into bed carefully, trying not to wake her. The room was dark, and I was groggy, so it took me a few minutes to realize that her body was cool and that she wasn't moving."

"That's about half an hour." Randy scribbled more notes. "It fits our theory perfectly. Your daughter saw the intruder just after Helen died and called for you. About thirty minutes later, the paramedics arrived and estimated she'd been dead about half an hour."

"That's encouraging." Mike managed a brief, hopeful smile. "How do we prove it?"

"What else do you remember about Helen, the bed, or your room?"

Mike strained to remember any details as he went on to tell Randy about giving Helen CPR and watching helplessly as the paramedics tried to revive her. “Everything is a blur after I found Helen dead. One more thing. I don’t know whether it’s related, but I haven’t been able to find Helen’s wedding ring.”

“Was it very valuable?” Randy asked.

“Maybe a couple hundred bucks. I bought it when we were starving law students. She had more expensive jewelry on her dresser, but none of that was stolen.”

“Let’s notify the detectives,” Randy said, “and maybe we’ll get very lucky and it’ll show up at a pawn shop.”

“I think there’s a picture of it in our wedding album. I’ll give it to the detectives.”

“We’re making some progress,” Randy observed. “Why don’t we take a break? I’ve got a lunch appointment with Warren. After I get back, we should have more information from the detectives.”

“Do you mind if I hide out in here for a few minutes until the hallway clears for lunch? I want to avoid seeing as many people as possible.”

“Make yourself at home,” Randy said and walked out.

Mike paced around the room and stared out the window at the pedestrians who still led normal lives. At about five minutes past noon, Mike braved the hallway. He managed to avoid seeing anyone until he came near Craig’s office and noticed his friend sitting at his desk. Detective Jarek’s words immediately filled his mind, *Craig thinks you’re crazy*. He quickly looked away to avoid eye contact, hoping Craig hadn’t seen him. It was too late. Craig had seen him, and they both knew it.

“You surprised me.” Mike stood at the threshold of Craig’s office and rationalized his attempt to sneak past. “I didn’t think you’d be in the office during lunch.”

“*You surprised me.*” Craig sounded awkward too. “I didn’t think you’d return to the office . . . so soon.”

“I’ve been meeting with Randy.” Mike tried to mask his resentment. “I assume you heard the Fairfax detectives are investigating Helen’s death.”

Craig shifted in his seat and did not make extended eye contact with Mike. “Yeah, I heard.”

“You must’ve seen the article in *The Post* this morning alleging that I murdered Helen. I don’t know how my life will ever return to normal.”

An uncomfortable silence passed between the two men, and visions of the great moments they’d shared flashed through Mike’s mind.

“Well,” Craig said.

Mike’s frustration continued to escalate until he finally cracked. He stomped into the office and closed the door behind him. “Why’d you tell the detectives you think I killed Helen?”

Craig rocked back in his chair stunned. “I didn’t *say* that.”

Mike’s face flushed. “Why on earth would I want to kill Helen?”

Craig stiffened and crossed his arms. “Ask your blonde girlfriend.”

“I don’t have any blonde girlfriend!” Mike cried. “I have no idea where that blonde hair came from.”

“I believed you when you told me that you didn’t fool around with Tanya Hoff,” Craig said. “I thought I knew you, Bro. It turns out you’re no better or different than the rest of us after all.”

“What are you talking about?” Mike said. “I never thought I was better than you.”

“You might be able to maintain that façade with other people, but I know you too well. You fooled around, you lost your head, and now I’ve lost my two best friends.”

“Craig! Listen to me,” Mike demanded. “I did not cheat on Helen, and I certainly didn’t kill her.”

“Then why were you and Helen fighting that night?”

“I got home late from the reception, and she was frustrated because we hadn’t seen each other for so long. She was fine after I explained why I was late.” Mike tightened his arms around his chest. “And what about you? Why didn’t you tell me you were at the house with Helen while I was in New York?”

“I was in Fairfax with a date,” Craig snapped back, “and dropped by your place to introduce her to Helen. We all have dark hair, so how do you explain the blonde hair in your bed?”

“I have no idea,” Mike said, “but I’ll bet it came from the guy who killed Helen.”

Craig grew quiet. Then he remembered the most damning evidence, and he wrinkled his face in disgust. “You told your girlfriend you were going to kill Helen.”

Mike’s jaw fell open. “What are you talking about? Where did you hear that?”

“That old detective.”

“That’s a bald-faced lie because I never said anything like that, and there is absolutely no girlfriend!”

“Who would make up such a thing?” Craig asked.

“I wouldn’t put it past Detective Jarek. That S.O.B. would say anything to get a conviction. Look, who are you going to believe, your best friend or some lazy slob who just wants to close his case?”

Craig thought in silence for a moment.

“When Professor Horowitz accused you of cheating on our contracts final,” Mike said, “who stood behind you and helped prove he was wrong?”

Craig lowered his eyes and stooped his shoulders. After a long moment he looked directly at Mike. “I can’t understand why anyone would kill Helen.”

“Neither can I, but I know if we work together,” Mike pleaded, “we can figure it out.”

Craig cracked a wide grin. “Remember when I was bad-mouthing Horowitz before class that one day in the men’s room, and you told me he was in the stall?”

Mike smiled as he remembered the scene and realized that all was forgiven. “You should have seen your face—pure terror. You looked like a fool standing by the bathroom door until the librarian came out.”

At about 1:30, they burst out of Craig’s office, joking about the “Laurel and Hardy” detectives on the case and continuing to laugh as they walked down the hall toward Randy’s office. The staff all along the horseshoe froze as the smiling attorneys passed.

Mike and Craig navigated their way into Randy’s office and pushed the door closed.

“Hey Craig, glad you could join us,” Randy said, and tossed Mike a thick envelope. “Here’s the package from Detective Woods. He also left a voicemail reporting that the hair and DNA samples collected from Tanya Hoff and Laura Ashton don’t match the specimens found at the scene.”

“I knew it!” Mike exclaimed.

Randy appeared both relieved and confused. “Why did they take samples from Laura to test?”

“I guess some of the secretaries must’ve told the detectives that I was having an affair with Laura.”

“Good news that it’s not Tanya or Laura,” Craig said. “But the mystery remains.”

“Let’s see what clues the Fairfax officers can give us.” Mike opened the envelope, took the first two clips of documents, and handed them to Randy and Craig. “Randy, why don’t you see what my neighbors had to say. Craig, why don’t you review the medical examiner’s report and test data, and I’ll look at the witness statements taken here at the office.”

Randy scanned the first report and instantly furrowed his brow. “Your neighbor, Nadine, told the detectives that you were choking Helen one night.”

“The medical examiner noted old bruises on her neck,” Craig added.

“I told Craig about this,” Mike said. “It was a nightmare I had a week or so ago. I dreamed I grabbed on to a tree to prevent falling off a cliff. I woke up with my hands around Helen’s throat.”

“Why didn’t you tell me before?” Randy asked. “This doesn’t look good at all.”

“I didn’t think it was that important,” Mike said.

“You didn’t think it was important,” Randy said, “that you’re accused of murdering your wife and you admit choking her the week before?”

“I know I didn’t kill her,” Mike responded defensively, “so I’ve been focusing on the evidence that will show who did.”

“Well, it’s time to focus on the evidence against you.” Craig’s sober voice served to defuse the tension.

“The detectives have a theory,” Mike said and sheepishly lowered his head. “They heard about the old bruises on Helen’s neck and speculate that she died accidentally during sex.”

“Sexual strangulation,” Craig explained to Randy.

“That isn’t what happened,” Mike said, “and I’m sure the coroner’s report will show we didn’t have sex that night.”

Craig quickly scanned the report and said, “He’s right.”

“Detective Jarek tried to persuade me to adopt that story and plead guilty to negligent homicide. I refused because it isn’t true.”

“We may have a *bigger* problem,” Randy announced in a grave tone as he scanned the notes from the next witness interview. “Who’s Velma Barney?”

“She’s another neighbor,” Mike responded cautiously. “What did *she* say?”

Randy looked hard at Mike. “Why did Mrs. Barney report she overheard you saying last week that you were going to kill Helen?”

“That’s crazy!” Mike exploded. “Why would she say such a thing?”

“Calm down.” Randy rose and stood over his young colleague. “Start thinking like a lawyer. Maybe you said something that she misunderstood.”

“The big detective told me the same thing,” Craig said.

Mike sat back down and buried his face in his hands. “Where was Mrs. Barney when she allegedly heard me say that?”

Randy checked the notes and responded, “She was using a cordless telephone, and she believes she picked up the signal from your baby monitor.”

“My baby monitor?”

“You must’ve been standing in Victoria’s room,” Craig rapidly deduced. “I’m sure the detectives are already testing her phone to determine if that’s possible.”

“For now let’s assume it’s possible,” Randy said. “What did you say that your neighbor construed as a death threat?”

Mike frowned and crossed his arms at this frivolous exercise to disprove the delusions of the old woman. “I went in to comfort the baby the night Helen died, but that was before I

discovered she was dead, so I didn't say anything about her death then. I don't even remember when I was last in her room before that night." Mike stood up and wandered around the cluttered office as his frustration grew. "Wait! A few nights before Helen died, Victoria woke up crying, and I went to her room to see what was wrong. Why did she wake up?" he wondered aloud. Suddenly, Mike froze like a possum staring at the headlights of an oncoming car.

"What is it?" Craig asked.

"Oh no," Mike muttered, and shook his head. "Victoria woke up because Helen was screaming at me the night I almost strangled her in my sleep. I think I might have muttered something to myself like 'I'm afraid I'm going to kill Helen,' because I remember being worried that I might really hurt her."

The three men silently looked back and forth at each other with concerned faces as they absorbed the full weight of the evidence.

Randy finally spoke up. "If the jury believes Mrs. Barney, they have a basis for finding premeditated murder. If we offer your explanation, the jury will hang you. You can't deny the statement, so we can't let you testify. We'll have to find a way to exclude Mrs. Barney's testimony or at least impeach her." He dropped his head and sighed. "This is the worst development yet."

"Maybe not," Craig interjected, sounding strangely optimistic. "Maybe we should embrace it."

"Embrace premeditated murder?" Mike shuddered.

"The unconsciousness defense," Randy completed Craig's thought.

"What are you suggesting, Craig, that *I* killed Helen in my *sleep*?" He paced around the room frantically.

"What else do we have until we find out who really killed her?" Craig asked. "Besides, you just said you were afraid that you might hurt her in your sleep."

"What do you think, Randy?" Mike pleaded to his mentor for support.

"It is a *complete* defense, and we have some difficult facts to deal with. I don't think we should dismiss it yet."

"I can't believe I'm hearing this." Mike grew louder as his aggravation compounded.

"I know it's almost impossible not to take this personally." Randy was sympathetic but stern.

"I'm facing the possibility of execution," Mike raved, "and you don't want me to take this personally?"

"Mike!" Randy said in a firm parental voice. "Look how neatly the theory fits. A few weeks ago you had a nightmare and woke up with your hands around Helen's throat. You said to yourself that you were genuinely afraid you might harm your wife. The old neighbor lady will corroborate that statement. Wednesday night you went to sleep in another room, yet while you were *sleepwalking* you went back into the bedroom and held a pillow over Helen's face, suffocating her. The commotion awakened Victoria. You woke up a few minutes later, comforted your daughter, and then found Helen dead."

The room fell silent. The three attorneys sat stone-faced as they pondered the theory. The air-conditioner turned on, and an icy chill swept through the room.

"Oh . . . no." Mike's words were deliberate and drawn out as the blood drained from his face and an expression of horror appeared. He closed his eyes. After a long pause, he spoke again in a soft quivering voice. "I think I did kill my wife."

No one spoke for a full five minutes. Mike sat with his face buried in his hands. Craig stared out the window. Randy's telephone rang, but he didn't answer.

Finally, Craig cleared his throat and broke the silence. “Have you been walking in your sleep all your life?”

Mike lifted his face. His eyes were red and swollen. “Well, yeah,” he began again, a lump in his throat making speech difficult. “Helen used to tell me about once a month that I’d been sleep-walking, usually during periods of high stress. My mom told me that one time as a kid I walked down the hall in my sleep, lifted up the lid to the clothes hamper, and would have peed in the hamper if she hadn’t caught me in time.”

The men chuckled softly, which lightened the mood a little. Mike regained his serious composure and concluded, “But I’d never harmed anyone—until now.”

Randy continued to delicately probe. “Do you recall whether you had a dream the night Helen died?”

Mike thought for a moment. “I was so drained that night after the settlement and partnership that I fell sound asleep. I don’t remember anything until I heard Victoria crying.”

“Well,” Randy said softly, and stood up. “Let’s pursue these theories we’ve discussed. I’ll work on finding some expert witnesses to engage—a psychiatrist and an electrical engineer to check out the baby monitor. Craig, why don’t you research the law on the unconsciousness defense and all the relevant criminal procedure? Mike, you better go home and get some rest. Study the witness statements and see if you can find any other evidence that will help our defense. I’ll get Carol to make a few copies of the detectives’ files for us to work with.” Randy gathered the documents from the other attorneys and took them out to his secretary.

“You’re going to make it through this, Mike,” Craig said.

“Thanks, Craig.” Mike exchanged an uncertain smile with his friend. “When your life is on the line, you find out who your true friends are.”

## EIGHT

Mike arrived at the office building before 7:00 a.m. Wednesday morning to get an early start on developing his defense, knowing that the Fairfax authorities could arrest him at any time. He came in through the garage entrance and saw about a dozen unfamiliar people huddled inside the lobby near the main K Street entrance. Mike tried to be inconspicuous, but it was too late.

“There he is!” a woman yelled.

Suddenly, a pack of reporters and photographers mobbed Mike. He panicked and darted to the elevators. The camera strobes flashed in rapid succession, temporarily blinding him. Mike pressed the elevator call button repeatedly and shielded his eyes from the flash bulbs as the reporters fired questions at him.

“Did you kill your wife in your sleep?” a bearded man asked and shoved a recorder in Mike’s face.

“How does it feel to be known as the ‘Sleepwalk Killer?’” a voice from behind said.

“Mike!” a thin woman shouted. “Don’t you want to say anything in your defense?”

Mike was stunned and couldn’t think coherently to say anything intelligible. The reporters’ voices became a blur as they shoved their recorders in his face. The elevator doors opened, and Mike forced his way through the bodies and onto the carriage. His head was reeling. He pressed his hands against the walls to hold himself up. The elevator ascended, and Mike’s confusion turned to anger as he came to an awful realization. *Someone had leaked his confidential discussions with Randy and Craig to the press.*

The elevator doors opened. But instead of receiving a pleasant smile from Diane, he was greeted by a suspicious stare from Mr. Williams's gray-haired secretary. Mike tried to avoid eye contact and walked past her without saying a word.

"Did you see *The Post* this morning?" The secretary sneered at Mike and held out a copy of the Fairfax County Metro section.

Mike backed up, took the paper, and stalked toward his office.

"Keep it," she said. "I have another copy."

Mike read the headline at the top of the page as he walked: "D.C. Attorney Confesses He's a 'Sleepwalk Killer.'"

His heart sank. He unlocked the door to his office, slumped onto the couch, and continued reading.

The article was brief but venomous. Like the story the day before, this one summarized the facts surrounding Helen's death but added that she was smothered with a pillow. The paper also reported that Mike was the chief suspect and that "sources close to the defense report that Kingston admitted to killing his wife in his sleep." And to add insult to injury, next to the article, the paper printed a picture of him, apparently taken from the firm's website. Mike was afraid that from then on, everywhere he went, he'd run the risk of being recognized as a killer.

Mike dropped the newspaper on the floor and buried his head in his hands. "This can't be happening," he muttered. Dark feelings of despair enveloped him. As he was about to abandon all hope, Randy's voice came to his mind. *Don't take this personally. Think like a lawyer.* He dragged himself off the couch, went to his desk, and tried to analyze the witness statements as Randy would want him to do. But it was impossible to concentrate. The words from the headline rang over and over in his head, *Sleepwalk Killer, Sleepwalk Killer, Sleepwalk Killer.*

▪

Randy called just after 8:00 a.m. and shook Mike from his stupor. "Get Craig and come to my office," he ordered, and slammed the receiver down.

Mike collected his files and the newspaper and started toward Craig's office. Most of the staff hadn't arrived yet, so there were only a few people to gawk at him.

"Why are you so down?" Craig asked as they met at the door to his office. "I thought we made some good progress yesterday."

Mike silently handed the newspaper to his friend. Craig scanned the article in shock as he followed Mike to Randy's office.

"How did this get out?" Randy exclaimed in a rare display of anger as he held up the morning edition of *The Post*.

"I didn't talk to anyone after our meeting yesterday." Craig threw the newspaper to the ground.

"Me neither," Mike said, and collapsed into a chair.

Randy looked up at the ceiling. "I had a meeting with Warren late last night and told him about our defenses. But Warren would've done anything to prevent this story from being published. Rumors like this can topple Washington firms that depend on a sterling reputation."

Craig became very animated and wildly searched the room. "Then someone must have been listening in."

"Could someone have bugged your office?" Mike asked.

“Maybe it’s this stupid video-conferencing equipment.” Craig became even more excited and snatched the digital camera that sat on Randy’s computer monitor and began tugging on the tangled wires. “The associates have suspected for years that the partners were using the equipment to spy on us.”

“Oh no.” Randy lowered his head in disgust. “When I met with Warren last night, he said that he heard the detectives were making a case against Mike first thing Monday morning and immediately called an emergency meeting of the firm’s executive committee. The only way he could have known so early would be from listening in to my interview with Detective Jarek.”

“But even if Warren eavesdropped on our meeting yesterday,” Mike observed, “he wouldn’t have told the press. It must have been someone else with access to the system.”

“Let’s just rip the thing out,” Craig said, “and get back to work.”

Randy disconnected the microphone, speakers, and digital camera and tossed the tangled mess in a box. “Now we don’t have to worry about the snitch listening in.”

Craig walked over and disconnected Randy’s telephone line. “Now we’re safe.”

“I want you guys to stay in my office all morning,” Randy said. “Detective Woods called to say they’re on their way to the firm now with warrants to search both of your offices.”

“My office?” Craig asked. “I’m not a suspect. Am I?”

“I don’t think so,” Randy said. “I think they got the warrant based on your relationship with Helen and Mike. The detective also tells me they have a warrant to take hair samples and cheek swabs from everyone in the office with blonde hair. Now let’s forget about what’s going on out there and continue preparing our case.”

“Maybe your secretary can give us periodic updates,” Craig said.

“Didn’t you hear?” Randy’s expression turned sullen. “Carol got mugged near her apartment last night.”

“That’s terrible,” Mike said, and forgot his own problems for a moment. “Was she hurt?”

“Apparently they kept her in the hospital overnight. She has some serious bruises but no broken bones or internal injuries.”

“Does she have someone to take care of her?” Mike asked.

“I heard that Carol called the office this morning to find another one of the secretaries to help her get home from the hospital. The receptionist couldn’t find anyone that was willing to go, so she went herself even though I don’t think she’s close friends with Carol.”

“Wow,” Craig said. “Beneath the surface this firm is pretty screwed up.”

“You don’t know the half of it,” Randy said. “Now let’s get to work.”

Craig began by detailing the elements of first degree murder, which none of them had studied since the bar exam. If the detectives developed evidence that Mike planned to kill Helen, that he had an evil motive, and that the murder was particularly vile, then the maximum penalty would be death by lethal injection. The threat of Mike’s being charged with a capital crime was very sobering, but they all believed the only real danger of that would be if the commonwealth’s attorney could prove he was having an affair. Otherwise they believed Mike had no apparent motive to murder his wife, but he could still be charged with second-degree murder or another lesser-included offense.

The good news, Craig explained, was that unconsciousness was a complete defense. Mike could thus be found not guilty, even if the jury found he did in fact kill Helen, so long as he could prove that he did it while he was asleep. Craig discussed the key court opinions and the few national cases in which juries had acquitted sleep-walkers. The odds weren’t great.

Next, they spent hours going over the chronology of the days leading up to Helen's death and through the night she died. Mike recounted in vivid detail his crazy dreams, his encounter with Tanya Hoff, and his friction with Helen. They discussed all the places he'd been and all the people he'd met, paying particular attention to hair colors. Mike mentioned Penny Wigand, the young blonde attorney for Kidz Play in New York, and the fair-haired airport attendant he sweet-talked into letting him through after closing the gate. Mike thought either woman had gotten close enough to him to transfer a blonde strand onto his suit coat, and from his coat the hair easily could have found its way to his bed. Craig hypothesized what became known as the "lunatic blonde theory," suggesting that Penny or the gate attendant might have shown up at Mystic Meadow Way.

They next focused on relationships. They talked about all the blondes Mike knew, from Delores in accounting to Katie Dithers their baby-sitter. Then they broadened their discussion to all the people in Helen's life and in Mike's life, irrespective of hair color, looking for any acquaintances with violent or deviant tendencies. They explored the possibility that an enemy of Mike's or a jealous former boyfriend of Helen's picked the lock on the patio door, sneaked upstairs, and smothered Helen.

They considered every possible motive—money, anger, jealousy, power, lust—but came up empty with trying to fit any names or faces. Mike didn't have any huge life insurance policies on Helen, and he didn't stand to inherit a fortune.

The process took hours. It was tedious and exhausting. But they all fully appreciated that Mike's life was literally at stake. They could not overlook the slightest detail or the wildest possibility. Nevertheless, they couldn't discern a scenario that seemed more likely than Mike killed Helen in his sleep.

Randy reported that he'd found a psychiatrist, Dr. Melvin Browning, who had testified in numerous trials about how sleep disorders cause people to engage in aberrant behavior. In fact, he'd recently testified in a criminal trial for a driver whose automobile collided with a school bus and killed seven children. The man was acquitted primarily because of Dr. Browning's testimony that the driver's muscles became paralyzed from cataplexy just before the crash.

Randy had also contacted an electrical engineer who could examine the Kingstons' baby monitor to determine whether it was possible for Mrs. Barney's cordless phone to pick up the signal. The attorneys also discussed hiring their own forensic pathologist to review the report of Helen's autopsy and the medical examiner's conclusions.

As the list of expert consultants grew, the men realized that the projected defense costs could be astronomical. Mike assured them he would be able to come up with the money. He worried, however, that he might have to mortgage or sell his house in order to fund his defense.

In the late afternoon, Randy scanned his e-mail. "I've got a message from the front desk indicating that the detectives are gone. Mike, there's also a note from Grace about a fax from Hayden Kohlberg."

"That must be about the Kidz Play settlement. I'd better run and see what the status is, so we can get paid." Mike gathered his files and headed for his office.

▪

As soon as Mike seemed to be out of hearing range, Craig looked at Randy and lowered his voice. "Do you think the jury will believe Mike killed Helen in his sleep, or will they think he made it look like he was sleepwalking so he could get away with murder?"

Randy took a sip from a stale cup of coffee and stared back at Craig with a blank expression. “What would you believe?”

Craig imagined himself in the jury box listening as the commonwealth presented the pieces of the puzzle—the old bruises on Helen’s neck, Mike’s confession that he was going to kill her, their fight the night she died, no evidence of forced entry into the home, a blonde hair in their bed, the M.E.’s conclusion that she died from suffocation after a struggle, and Mike’s weird behavior before and after the murder. But one key piece was missing. “There’s still no evidence of a motive for Mike to kill his wife. There was no financial incentive. They had a good marriage, and there’s no basis yet to conclude he was having an affair. Incredible as it may seem at first, I believe Mike was sleepwalking.”

“So will the jury,” Randy responded confidently.

▪

The Kohlberg fax was waiting on Mike’s chair when he got back to his office. The letter consisted of a single sentence: “Kidz Play has decided to withdraw its offer to settle the personal-injury litigation with your clients.”

Mike slammed the fax on his desk. He picked up the telephone and dialed Hayden Kohlberg’s number. “Salzburg and Prince,” the operator answered.

“Mike Kingston for Hayden Kohlberg,” Mike said through clenched teeth, and pushed his office door closed.

After two unbearable measures of “Yellow Submarine” Muzak, the New York attorney answered.

“How’re you doing Mike?” Kohlberg asked in his patronizing tone of voice.

“Why are you backing out of our agreement?” Mike snapped.

“Well, we’ve reevaluated the case,” Hayden said, “and Baxter decided he’s not going to sign the agreement.”

Mike could hear Kohlberg’s smug grin through the telephone line. “My wife died, you heartless S.O.B.! And there are a dozen other attorneys at this firm who can crush you at trial.”

“We’ll just have to *sleep* on that.”

Mike slammed down the receiver and slumped in his chair. For the first time in his life, Mike felt as if he had absolutely no control over his life and that everything he’d ever worked for was slipping away. He forced himself to take deep breaths, and as he struggled to regain his composure, a crayon scribble tacked to the wall caught his eye. The scrawl gave him a glimmer of hope, without which he believed he would be completely demoralized. He still had his daughter. And they needed each other more than ever now.

Today was the day Helen’s parents were bringing Victoria home from New Jersey. Mike formed a faint smile, knowing that he would soon be together again with the daughter he adored. Even if he had no control over the rest of his life, he could at least begin to repair his relationship with his baby girl.

▪

Mike raced home and burst through the back door, charged with anticipation to be reunited with his angel. He flipped on the kitchen light and reeled in shock. The house looked like the aftermath of Hurricane Sandy. The kitchen table and cupboards were covered with take-out

boxes, half-eaten microwave dinner trays, and dirty dishes. He staggered into the living room with his mouth agape. Crumpled newspapers were strewn over the floor, and a broken glass and rose-petal potpourri blanketed the leather sofa and surrounding carpet, remnants of yesterday's rampage. He knew the upstairs wouldn't be much better. He had been so distraught by Helen's death and preoccupied with the investigation that in just a few days since the funeral he'd created a month's worth of widower wreckage.

He couldn't let Victoria see that her father had lost control. But she could arrive home any minute. Mike panicked. Reeking garbage overflowed under the sink. He quickly tied the sack up and grabbed a clean one. As soon as he had the bag open and started raking the food cartons off the cupboard, the doorbell rang. Mike dropped the trash bag, ran to the front door, and threw it open with a huge grin on his face.

A barrage of flash bulbs burst like mortar fire on the front porch. The bright lamp from a television news camera spotted Mike like a military searchlight and blinded him so he couldn't see the squad of reporters crowded on his stoop. Mike rocked backward and raised his arm to shield his eyes, and the newsmen began firing questions.

"Mike, are you going to plead guilty?" a woman shouted.

"Are you still sleepwalking?" another yelled.

Mike obscured his face from the cameras and forced the door closed against the pressing throng of reporters. His body began to tremble, and a lump welled up in his throat. He sank to the ground and felt all the day's grief and hopelessness come rushing back in.

A large black Cadillac rumbled into his driveway, and the reporters scurried down the steps.

"That must be Helen's parents with the baby," a man's voice said, and the reporters immediately began snapping pictures.

Mike scampered to his feet, parted the curtains, and looked out the window.

The bright lamp from the television camera illuminated Bob Sinclair's shiny black Magnanni shoes edging out of the car. The reporters stood back to give the man room to lift his tall frame out and close the door firmly. Sinclair's eyes narrowed and his jaw squared. "Let me make one thing perfectly clear," he began, his imposing height and intimidating demeanor causing everyone to freeze. "If I see one photograph taken of my granddaughter or even the mention of her in a news report, I will break your neck. Then I will call my attorney, and the real pain will begin."

Mike continued to watch from behind the glass and strained to hear what was said.

"Now back up!" Sinclair demanded, and the press corps scrambled backward. He signaled to his wife that the coast was clear.

Sharon Sinclair led with her diamond Tiffany Hearts bracelet as she slid out from the car. She straightened her rumpled Nicole Miller dress over her slender figure, opened the back door, and unlatched Victoria from her car seat. Mrs. Sinclair began to lift Victoria from the car when a camera flash went off.

"I said no pictures!" Mr. Sinclair bellowed and lunged for the camera.

"I was just discharging the flash," a nervous photographer whined as Mr. Sinclair snatched the camera from the photographer's hands, ripped the memory card out, and threw the camera back at the owner.

Mrs. Sinclair pulled Victoria out of the car, covered her face from the reporters, and ran to the house. Mike saw them coming and opened the door to usher them in. He swooped Victoria into his arms and hugged her tightly.

Sharon scrunched her taut face and stepped over the crumpled newspaper as if the scraps might dirty her shoes.

“Daddy, Daddy, Daddy!” Victoria squealed with delight, oblivious to the scene outside.

“Hi, sweetheart. I missed you so much.” Mike caressed her soft pink cheeks. “I’m glad you’re home. Did you have fun with Nana Sinclair?”

“Nana play house,” Victoria replied with her pristine white baby-teeth smile.

“She spoils you too much. You’re not going to want to come home.” Mike squeezed her again.

Sharon raised her tidy eyebrows and looked away as her husband marched in the door. Mike was surprised to see that Bob was empty-handed.

“I’ll go out and get Victoria’s things when the reporters clear out,” Mike said.

Bob arched his head back and looked down at Mike with disdain. “We didn’t bring her things.”

“What?” Mike felt his face grow red.

Victoria turned and looked at her grandmother. She could sense something was wrong as her father’s grasp tightened around her small torso.

Sharon darted toward Mike and held her arms open. “Victoria, take me upstairs and show me your room.”

The two men stared at each other while Sharon carried the toddler through the living room and up the stairs.

“You’re living like a slob since my Helen passed away.” Mr. Sinclair waved a stern finger at the trash around the room and stopped at Mike’s face. “And that circus you’ve created outside reinforces my decision. Victoria is staying with us,” he announced, and folded his arms tightly across his chest.

“What do you mean ‘your decision’?” Mike fumed. “You don’t get to decide where Victoria stays. I’m her father.”

“She hasn’t had a father in years,” Sinclair said.

“You damned hypocrite!” Mike lashed out. “You think you were such a great father because you gave Helen everything money could buy. You dressed her in expensive clothes, sent her to elite schools, and raised her in snobby neighborhoods. But you didn’t have a clue about what she really needed.”

Sinclair clenched his jeweled fist and waved it at Mike. “You killed my daughter!”

“I loved Helen more than you ever could,” Mike cried. “There’s no way I killed her!”

“You *say* you were *asleep*,” his father-in-law mocked. “That’s all the more reason Victoria’s not safe staying here one more night.”

Mike was horrified that Bob had heard the news reports in New Jersey and even more so that Victoria might indeed be endangered by staying with him. But he couldn’t admit that the arrogant pig was right, so he pleaded, “You can’t take my daughter away from me!”

Sinclair charged toward Mike and glowered at him with piercing eyes. “If you fight with me on this, Mike, I will file a custody lawsuit to make sure you never see her again and a wrongful death suit for murdering my daughter. The press would really love that. And I know you don’t have the money or the guts to fight three legal battles.” Sinclair abruptly spun away and stomped up the stairs.

Mike fought to contain his exploding rage. Throughout his entire marriage to Helen, Bob had consistently demeaned and ridiculed him as an unsophisticated country boy, not even close to good enough for his princess. But this was by far the worst insult.

Mike's quick, shallow breaths became slower and deeper as he struggled to gather himself. He didn't want Victoria to leave with the impression that her father was a raging lunatic. He knew that when his legal troubles were over, he would take his daughter far away from his despicable father-in-law.

Victoria came down the stairs with her favorite doll tucked under her arm. The Sinclairs followed close behind, carrying a bulging green duffel bag.

Victoria ran and leapt into her father's arms. "Daddy, go Nana's house again."

A lump grew in Mike's throat, and he swallowed hard. "That's wonderful, sweetheart. Have a good time. Daddy has a lot of work to do."

"Nana say that too."

Mike carried Victoria into the living room and sat her down in the tan leather chair. "Wait here for just a second honey." He cleared his throat as he walked back to meet her grandparents at the bottom of the stairs. He glared at Bob with fury in his eyes. "She's going to learn to hate you for this."

Sharon stepped between the rivals and faced Mike with a disarming smile. "Maybe she'll learn to appreciate you more."

Mike dropped his head, turned away, and returned to his daughter. As he leaned over and picked her up, he couldn't prevent some tears from streaming down his face and wetting the leather. After a few minutes of silently holding her, Mike knew he'd have to let her go. He wiped the moisture from his cheeks and studied her tender face, finding Helen's spirit in Victoria's chestnut eyes. "I love you so much."

"Love you, Daddy."

Mike set his daughter down and aimed her toward the front door. "Be good for Nana."

Victoria took a step toward the door, then turned and looked up at her father with sad eyes. "Want Mommy."

Mike's throat constricted. He crouched down to her level, clutched her tiny hands in his shaking palms, and whispered, "I want Mommy too."

Sharon took Victoria's hand and gave Mike a sympathetic smile. "Please come and visit her on the weekends."

Mr. Sinclair threw open the door, guided the bulging duffel bag through the entry, and strode outside. Predictably the press had all dispersed.

"See you soon, gorgeous," Mike said as his daughter walked out the door. He watched from the living room window as they got in the Cadillac and drove away. When the car was finally out of sight, Mike collapsed on the floor and cried uncontrollably.

▪

Craig checked Mike's office Monday morning for the fifteenth time already that day. "Grace, have you been able to reach Mike yet?" he called to the secretary.

"Twenty-seven rings. No answer."

Craig grumbled and marched around the corner to Randy's office. Carol waved him in with a bandaged hand. The bruises on her face from the mugging had faded to light green.

Randy sat at his desk studying a treatise on Virginia criminal procedure.

Craig stuck his head in the door. "Still no word from Mike."

"When was the last time anyone saw him?"

“Thursday afternoon. I took him to the booking and bail hearing then dropped him back home after posting his bail bond. He didn’t say anything the whole time and looked awful. He might’ve gone to Helen’s parents’ house in Jersey, but he always lets Grace know where he is and should’ve been back after the weekend. He knows the arraignment is Wednesday morning.”

“Have you tried contacting the neighbor? I think her name is Nadine. Check the witness statements.”

“Nadine Tolbert. I’ve met her before.” Craig went back to his office, Googled her name in Oakton, Virginia, and dialed the number.

“Mike?” Nadine answered expectantly.

“Ms. Tolbert? This is Craig Stone from Baker Williams.”

“Oh. Hi, Craig.”

“Mike hasn’t been in the office for a few days. Do you know where he is?”

“No.” Anxiety filled Nadine’s voice. “I was hoping this call was from him.”

“Any sign that he’s home?”

“If he is, he won’t come to the door. I collected his mail and newspapers, took them to the front door, and rang the bell, but no one answered. I looked in the window and saw photographs strewn around the living room and dirty dishes and trash scattered around.”

“Mike’s been my best friend for years. My gut tells me we need to check on him. Do you still have a key?”

“Yes, and I’ll be here all day.”

“I’m leaving right now. I just hope . . .” Craig took a deep breath and stopped.

“Yeah, me too.”

Craig made it to Mike’s house in less than twenty minutes—record time. He briefly surveyed the exterior for signs of anything unusual. Nadine looked concerned as she hurried out to meet Craig in the Kingstons’ driveway. They headed straight for the front door.

As they reached the front porch, they heard a high-pitched buzzing noise coming from inside the house. Nadine proceeded to the door and turned the key.

“Better let me go first.” Craig stepped forward, turned the handle, and pushed the door open. A rush of warm, stale air and blaring static from a mistuned radio blasted through the entrance. “On second thought,” Craig hollered over the noise, “maybe I’d better go alone.”

“Mike’s like a son to me,” Nadine shouted back. “If he and Victoria are in trouble, I want to be there for them.”

They crept through the open door, and the warm stench of rotting food caused them to recoil.

“Michael!” Craig yelled as they navigated the maze of trash, scattered family snapshots, soiled dishes, and a few empty beer bottles Craig recognized from the six-pack he’d forgotten after the last poker night. Nadine exchanged an anxious look with Craig and placed her hand over her nose.

Craig found his way to the stereo in the living room and turned off the static. “Mike!” he called out again and turned to walk up the stairs.

Nadine surveyed the kitchen and dumped a few smelly cartons into the trash on her way to the patio to search.

Craig reached the top of the dark stairs, and the air was hot and foul from the lack of circulation. The drapes were all pulled shut, and the only light came from the flickering of an unattended television showing cartoons. He switched on the hallway light and glanced around the family room. No one was there.

Craig proceeded down the hall toward Mike's bedroom. Only the creaking hardwood floorboards disturbed the eerie silence. He scanned the den where Mike had fallen asleep the night of Helen's murder. No sign of Mike or Victoria.

The door to the master bedroom was open just a crack. "Mike!" Craig called out again and cautiously pushed the door open. The bedroom was dark and stuffy, and the smell of urine emanated from the bathroom. Craig turned on the light switch and found the sheets torn off the bed and clothes strewn around the room. He heard the faint sound of running water and walked toward the bathroom with a worried expression. The potent odor overpowered him as he got closer. He covered his nose, flushed the toilet, searched around the room, and looked in the bathtub, but no one was there.

Craig walked back down the hall to the only place upstairs he'd not yet searched—Victoria's room. He feared a nightmare awaited him behind the closed door, among the toddler's stuffed animals. He slowly turned the knob and pushed. The tight hinges shrieked like a wounded raven as the door opened into the unlit chamber.

Craig could barely make out the shape of a body, curled up in the middle of the floor, lying dead still. "Mike," he called out, his voice cracking. The form did not move. He quickly surveyed the room but saw only one person and no blood, pills, or guns. Craig cautiously approached the body and, in the dim light, recognized his friend lying on his side on the floor, his legs curled up to his chest, and his face buried in his arms. Craig crouched down beside Mike, close enough he almost choked on the foul smell that he prayed wasn't decomposition.

Craig put his hand on his friend's shoulder. "Mike," he said, and jostled the body gently. The skin felt cooler than normal, but still warm. "Michael." Craig shook his friend more vigorously. "Wake up, Michael!"

Mike's bloodshot eyes sprang open. Panic swept over his face, and he started wheezing and coughing uncontrollably—deep, raspy whooping that caused his entire body to convulse. Craig supported the back of Mike's head with his arm.

"Where am I?" Mike wheezed when he finally caught his breath. He leaned on his elbow, rubbed his lifeless eyes, and looked around in a daze.

"Victoria's room." Craig put his hand behind Mike's back to help him sit up. "How are you feeling?"

"Truthfully, I feel like crap." He ran soiled fingers through his matted brown waves.

"Truthfully, you look like crap too," Craig said, and cracked a wide grin.

Mike forced a thin smile and rubbed his temples. The dim light emphasized Mike's sunken eyes. Thick black stubble grew over his unshaven face. And the putrid smell of Mike's alcohol-laden breath and unkempt body revealed that he hadn't showered in days.

A creaking sound from the stairs caused Mike to recoil.

"It's Nadine," Craig said. "She's worried about you. We're all worried."

Mike lowered his head. "I'm sorry."

"Come on, let's get you cleaned up." Craig put Mike's arm around his shoulder and helped Mike to his feet.

Nadine appeared in the open doorway. "Thank heavens you're all right," she said. "Where's Victoria?"

Mike turned his head away, and he muttered, "Her grandparents took her away." He sucked in a deep breath and blew out a quivering exhale. "Why is this happening to me?" He peered at his friends with a look of desperation.

Nadine crossed to Mike and wrapped her supporting arms around him without any hint of cringing at his odor. "I don't know, Mike, but I do believe that God will make everything work out okay."

Mike wiped the moisture from his face. "I wish I could believe that."

"We're going to make it through this together," Craig said.

But Mike's deep scowl revealed that, no matter how sincere and kind, Craig's supporting words could not make the world right again for him.

"Two weeks ago, I had everything—" Mike said, "a great career, a nice house, a beautiful family." Mike gasped, and a few tears rolled down his face. "Within a matter of days, I've lost it all—my wife is dead, my daughter was taken away. I'm going to lose my house and all my clients and spend the rest of my life in jail for something I didn't do."

Craig and Nadine stood speechless. Chills ran through Craig's body. He ached for his friend.

After a few quiet moments, Mike punctuated his lament. "What's the use of even trying anymore?"

"We're going to get through this," Craig said without any forced affect. "One step at a time." He guided Mike toward the master bedroom. "You go get cleaned up. Nadine and I will cook some breakfast for you and start straightening the house."

Mike turned and looked back at Craig and Nadine with wet red eyes. He put his arms around his friends, sandwiched himself between them, and dropped his despondent head. "Thank you."

## NINE

Karen Davis sat in her narrow office at the Fairfax County Judicial Center late Tuesday morning reviewing e-mail when Deputy Commonwealth's Attorney Gerald Fields appeared at her door.

"Davis!" he said. His gruff booming voice and large intimidating frame made the stoutest men cringe.

"Hey Jerry." Karen was unfazed.

Fields dropped his curt exterior and showed a warm nature that he seemed to reserve just for her. "I heard the jury convicted your college-student rapist."

"Another creep behind bars where he belongs." The prosecutor smiled.

"I can always count on you. That's why I convinced Rick to give you the sexiest new case in a decade." Jerry waved a thick file in the air to tease her.

"Another sex crime?" Karen sighed.

"Nope." Jerry dropped the heavy file on her desk in dramatic fashion. "Murder."

A wide smile returned to Karen's face as she pictured her career skyrocketing. "Now that's what I'm talking about. Finally after seven years of rape convictions."

"The accused is Mike Kingston. The victim is his wife Helen."

"Helen Kingston?" Karen shifted her gaze and started thumbing through the pages.

"Do you know her?" Jerry asked.

"Uh, I think I read about this in *The Post*. An attorney from Baker, Williams & Levine killed his wife and claimed he was walking in his sleep."

"There's going to be a lot of publicity surrounding this prosecution." Jerry adopted a more serious tone. "Make us look good."

"I always do," Karen said.

“The arraignment is tomorrow morning at 9:30 in front of Judge Ferguson.”

Karen exhaled. “Thanks for the *advance* notice.”

Jerry grinned at her sarcasm and marched away.

Karen flipped open the file and began fingering the pages. She instinctively turned to the medical report, cringed at the autopsy photographs of the pale, lifeless woman’s body, and sighed. “Oh, Helen.”

▪

After lunch with the latest in a long line of young Fairfax society bachelors, Karen refilled her Georgetown Law School mug with coffee and got back to work on the Kingston case. She spread the papers open across her desktop and started over at the beginning. Detective Jarek’s name was all over the file. Her whole body tensed up, and she ran her fingers nervously through her blonde hair. She remembered his careless work on the student-rapist case and knew she’d have to be meticulous to ensure the portly detective didn’t mess up her first murder case.

She reviewed Mike’s arrest report and his mug shots and fingerprints. Her gaze fixed on Mike’s picture. She studied his features, his thick brown hair, his sleepy cinnamon eyes, his firm jaw. Underneath the dark bags and other signs of severe distress, she could picture Helen married to a man like Mike.

Next she turned to the interviews with the accused and his neighbors and co-workers and began to piece together the story. She noted with great interest Mrs. Barney’s account of overhearing Mike threaten to kill his wife.

She went back over the medical examiner’s report and started a list of questions to ask Dr. Marshall about the old bruises and manner of death. She believed the answers would link Mike to the murder and show premeditation.

She next reviewed the notes from the crime-scene processing that also pointed to Mike—his skin cells under Helen’s fingernails, the blonde hair from his unidentified mistress, and the lack of forced entry or evidence of theft.

Her case sounded almost too easy. She could already picture herself making her opening statement to the jury, explaining how Mike was so brazen about his love affair that he brought his blonde mistress into his own bedroom, boasted how he was going to kill Helen, and then, like a coward, placed a pillow over her face to smother her while she slept.

She knew from the articles in *The Post* that Mike was going to offer an unconsciousness defense. No one in Virginia had been acquitted of murder because of sleepwalking, and she didn’t want her case to be the first.

Karen spent the next few hours in the law library examining cases on the unconsciousness defense until she felt that she generally understood the limited Virginia case law on the subject. She knew the arraignment would not require intimate knowledge of the law or the facts of the case, so she took off early and indulged herself with a long workout at the gym on her way home.

▪

Karen arrived at the Judicial Center just after 9:00 a.m. Wednesday morning. She grabbed the file from her office and went straight upstairs to Courtroom 2F. Karen strode into the spacious oak-paneled courtroom and delivered a business card to the smiling bailiff who waited

at the front to enter her appearance. They greeted each other by name and caught up on the latest courthouse gossip before Karen returned to the back left aisle seat. She preferred sitting at the rear to get a good look at her defendant and to make a grand entrance when the judge called her case.

The bailiff eyed the gallery as several more attorneys and their clients began to filter into the courtroom. Three slender men in dark suits walked in at about 9:25 and sat across the aisle and a few rows in front of Karen. She instantly recognized Mike from his mug shots. He didn't look much better, although he'd shaved and put on a suit. Mike was accompanied by an older man, slightly unkempt, and another man about the same age as Mike with a baby face and spiky brown hair. She pulled out her iPhone and started to search the BW website for their biographies.

The baby-faced attorney dropped off two business cards to the bailiff, sat back down in the aisle seat next to Mike, and surveyed the courtroom. He smiled at Karen sitting a few rows behind, just as the clerk called the courtroom to order.

"All arise," the clerk bellowed. "The District Court for the Commonwealth of Virginia is now in session. Judge Marilyn Ferguson presiding. Please be seated."

Judge Ferguson emerged from her chambers in her long black robe at precisely 9:30 a.m. and took the bench. "Good-morning," she said as she picked up her calendar.

"Good-morning, Your Honor," the gallery responded in unison.

"The first item on the calendar," the judge said, and peered through her narrow reading glasses, "is Commonwealth versus Kingston."

Karen strode toward the front of the courtroom and passed Mike and his defense team just as they began to stand. Baby-face followed quickly on her heels, leading his colleagues to the front. A few spectators in the gallery whispered quietly.

Karen stood behind the prosecutor's table on her left. "Good-morning, Your Honor. Karen Davis on behalf of the commonwealth."

"Good-morning, Your Honor," the older attorney said as the defense team filed over behind the defense table on the right. "Randall McKenzie and Craig Stone on behalf of Michael Kingston. This is Mr. Kingston." He motioned toward Mike standing to his right.

Judge Ferguson adopted a serious tone while she reviewed the charges against Mike. "Mr. Kingston, you are accused of the first-degree murder of Helen Kingston. How do you plead?"

The courtroom fell silent.

Mike took a deep breath and announced with conviction, "Not guilty, Your Honor."

The judge did not react to Mike's confidence and continued with the arraignment. "Mr. Kingston, you have the right to be represented by counsel. I understand that you have retained Mr. McKenzie and Mr. Stone."

"That's correct, Your Honor," Mr. McKenzie responded.

"You also have a right to a preliminary hearing for a judicial determination whether there is sufficient evidence to prove that you committed this crime. If you waive your right to a preliminary hearing, then the case will be certified to the grand jury for return of an indictment."

"We will proceed with a preliminary hearing," Mr. McKenzie said.

"The preliminary hearing will be set for two weeks from yesterday, that's a Tuesday, at 9:30 a.m. in this courtroom." For the first time, the judge turned and directed her attention toward Karen. "Will the commonwealth be prepared to proceed at that time?"

"Absolutely, Your Honor." Karen wrote the date and time on her notepad.

The judge finished giving her standard instructions and asked, "Do you have any questions?"

"No, Your Honor," Mr. McKenzie answered.

“You have posted a bond in the amount of \$1 million,” Judge Ferguson continued, “for your release from incarceration pending trial. If you fail to appear for your preliminary hearing, Mr. Kingston, you will forfeit your bond.” The judge paused and glared at Mike with a stern expression. “I *will* see you back in my courtroom in two weeks.”

“Yes, Your Honor,” Mike responded.

Judge Ferguson called the next case on her calendar, and the defense team followed Karen through the sound-lock double doors and out of the courtroom.

“My name is Karen,” she said once they were in the hallway outside the courtroom.

The gentlemen each exchanged greetings with her in turn. Baby-face held her hand for a prolonged moment while he introduced himself as “Craig.” Karen did not discourage him.

“I assume Mr. Kingston is willing to submit to a psychiatric examination,” Karen said.

“Coordinate with me,” Mr. McKenzie responded, “and we’ll find a convenient time when it’s appropriate.”

She pulled three business cards from her file and distributed them to the attorneys. “My direct line is on the card.” She made eye contact with Craig and flipped her flaxen ponytail. “Feel free to call me.”

Mike stared at Karen’s business card. “Your name sounds familiar. Have we met before?”

“I don’t believe so,” she responded, and looked away.

“I’m sure *I* would remember if we’d met before.” Craig flashed a broad smile at the prosecutor.

“Well, it was a pleasure to meet you all,” Karen said and abruptly flounced away to a chorus of “bye” from the men.

Karen went directly back to her office and began intensely preparing for the preliminary hearing. Handling this case was such a huge career opportunity for her. There was no way she would blow it for lack of preparation.

Karen pored over the witness statements and began making notes in her computer of follow-up questions and rough examination outlines. When she came again to the report of Detective Jarek’s interview with Craig Stone, her ears perked up. She snatched the business cards she had received from Mike’s attorneys and realized that Craig Stone, the flirtatious baby face, was the same Craig that was Mike’s best friend from law school. She read again with great interest the notes from the interview with Craig and toyed with the idea of calling him as a witness. She didn’t think his testimony would be pivotal in proving her case, but calling him could have a devastating impact if Mike’s friend and attorney appeared to have doubts about his innocence.

After a lunchtime sandwich at her desk, Karen next returned to the medical examiner’s report and studied it carefully. She used the report, the detectives’ interview notes, and the paramedics’ statements to piece together a timeline for the night of the murder.

Evening seemed to come on suddenly, and Karen’s eyes grew tired. But Jerry’s charge to “make us look good” rang through her mind. Now that she knew what she was up against, breaks were a luxury she couldn’t afford. She ordered Chinese food for delivery and continued working.

▪

The defense team also worked furiously to master the law and the evidence, to understand every nuance that could give them an advantage at the preliminary hearing. Mike expressed his deep gratitude, every step of the way, for the diligent effort his friends expended on his behalf. Randy appropriated a small BW conference room as a war room, so they could work and collect

all the relevant files in one central location. They cleared the area of any possible listening devices and kept the door locked to secure their privacy when they were away. They still hadn't discovered the identity of the mole who leaked information about the defense to the press, so they refused to grant anyone access to their confidential discussions and notes.

Randy and Mike worked together to prepare a preliminary-hearing brief to analyze the facts and the law related to the accusations against Mike and to lay out his likely defenses.

Craig eagerly undertook the job of gathering intelligence on Karen Davis. He reported that the prosecutor had graduated from Georgetown Law School, in D.C., the same year that he, Mike, and Helen had graduated from George Washington, and that Karen had volunteered at the free legal clinic. He also noted that this was her first capital case, which they believed would make her too tenacious and hopefully a little sloppy.

Craig deposed Mrs. Barney, the medical examiner, and the paramedics to learn in detail the stories they would tell at the preliminary hearing. Nadine came into the office and worked with Randy for an entire afternoon to prepare her testimony. They hired the best experts and spared no expense or effort to defend Mike against the murder charges. Randy expressed confidence that Mike would be exonerated, but since the commonwealth's burden at the prelim stage was so light, Mike and Craig speculated that Randy had an ace up his sleeve.

To add to the challenge of maintaining his hope, the financial burdens on Mike from paying for his defense became onerous. After he exhausted most of the money in his savings and retirement accounts and sold any valuable personal possessions, he obtained an appraisal of his home with the intention of offering it for sale. But the value was so severely affected by Helen's murder that it wasn't worth selling at the time. Instead he obtained a second mortgage so he could use the limited equity to pay expert witnesses.

The press continued to pursue the Sleepwalk Killer story relentlessly. As the preliminary hearing neared, a growing collection of reporters hung around the building, clamoring for any tidbit of information on the defense or for an opportunity to question or photograph Mike or the rest of the defense team. Mike usually managed to evade the press by sneaking in and out of the building through the back stairway into the alley.

Almost every day a new story appeared in one of the regional newspapers or on the local news channels about Mike, the case, or the firm. NewsChannel 8 hired its own forensic psychologist to comment on whether it would be possible for a man to kill someone in his sleep.

All the BW attorneys reported receiving constant complaints from their clients who feared a loss of credibility because the firm's name was attached to this heinous crime. Mike knew the pressure on Randy and Craig to save his life and the firm's reputation was almost unbearable.

Laura and Grace assisted almost full time with Mike's defense by coordinating with witnesses and experts, preparing court documents, and typing examination outlines. Diane even pitched in by making photocopies, keeping the coffee pots and water decanters filled, picking up meals for the team, and running to grab any needed supplies.

Mike met with their retained psychiatrist, Dr. Browning, to begin preparing the groundwork for his unconsciousness defense although Randy doubted they would put on evidence of sleepwalking at the preliminary hearing. If the commonwealth produced sufficient evidence that Mike murdered his wife, the judge would not dismiss the charges against him even if the testimony supporting the defense was overwhelming.

During their initial session, Dr. Browning explored Mike's history of sleepwalking. Mike explained that as long as he could remember, he had walked and talked in his sleep.

Occasionally, Mike awoke in the middle of the night in strange places and didn't know how he'd gotten there, like the garage checking his motor oil or the bathroom showering for work.

They discussed in detail Mike's recent nightmares, particularly the night he woke up with his hands around Helen's throat. Mike recounted a vivid dream of running through the jungle fleeing a huge black beast, falling off a cliff, and grasping on to a tree. He quivered as he described his wife's haunting apparition, which appeared on the root of the tree within his crushing grip.

Some of the typical causes of sleepwalking, Dr. Browning explained, are stress, fatigue, illness, sleep deprivation, and drug and alcohol use. Mike had not been sick and had nothing more than a glass of champagne the night Helen died, so they focused on the plentiful sources of stress and exhaustion in Mike's life. The long hours he'd spent trying to settle the Kidz Play case, the pivotal partnership vote, and Helen's recent suspicion of his infidelity provided enough anxiety and fatigue to cause Mike to walk miles in his sleep.

Dr. Browning also probed Mike about everything he remembered from the night of Helen's death. Mike recounted the details he'd rehearsed many times before, but he had no memory of anything after he fell asleep in the office until he heard Victoria calling for him. With Mike and Randy's consent, Dr. Browning proposed to hypnotize Mike during their next session in order to further explore his subconscious memory of that night.

They met for a second session on Friday afternoon, four days before the hearing. Mike was apprehensive about undergoing hypnosis because his only experience with the practice was watching his classmates imitate clucking chickens and barking dogs during a school assembly. Dr. Browning explained that, with Mike in a trance, he would first explore the periods of highest stress in Mike's life, have him relive the key events of the last few weeks, including the strange dreams, and finally probe his subconscious memory of the night of Helen's death. Dr. Browning eventually convinced Mike there was nothing to worry about and, with some difficulty, coaxed him into a deep hypnotic sleep.

When Mike awoke from the trance, he didn't remember anything that had transpired. As he readjusted to his surroundings, he noticed Dr. Browning wearing a puzzled expression.

"You didn't make me bark did you?" Mike asked.

"Oh no," the doctor chuckled.

"Is everything okay then?"

"Oh, fine," Dr. Browning responded, "but I need to talk with Randy right away."

"You learned something that you don't want me to know," Mike observed.

"No one knows better than me how difficult this has been for you. Let me talk with Randy first and see how he wants to handle the defense."

Mike was confused by the lack of candor, but he knew Dr. Browning was a team player. "If you think that's best," he finally conceded. But Mike studied the psychiatrist's expression as they concluded the session, and he couldn't help but worry, *Maybe Dr. Browning knows the truth.*

Mike's head was reeling as he left the psychiatrist's office. Besides being troubled by Dr. Browning's secret, Mike fretted that every newsman in the region openly speculated that he had smothered his wife to be with his mistress and made up the story about sleepwalking. And Victoria's two-week absence only compounded his misery. He knew he wouldn't be able to concentrate on anything else until he'd spent some time with Victoria. So Mike called Randy and said he would be back in the office Monday, and he left that afternoon for the Jersey Shore.

Victoria instantly recognized her daddy, and she ran to him as fast as her little legs could carry her across Nana's spacious, stone entryway. Mike clutched her tight for several minutes, intermittently studying her delicate features to refresh the picture in his mind. For a few precious moments, Mike forgot about his seemingly insurmountable troubles.

Victoria excitedly dragged him all over her grandparents' Mantoloking estate and showed him where she'd been swimming in the pool, playing house in the guest cottage, and watching Disney movies in the media room. But it didn't take long for Mike to tell from her far-off looks and empty expressions that she needed to get back into a routine at her own home as soon as possible.

For now, however, they had only the weekend. So they made the most of their short time together. They built sandcastles on the beach, read stories at the library, and played at the park. They ate at restaurants for every meal and came back to Nana's house only to sleep. In order to avoid a replay of the fight, Mrs. Sinclair put Mike and Victoria up in the guesthouse to make sure her husband and Mike never saw each other. And despite having to sleep under his loathsome father-in-law's roof, Mike nevertheless found some relief because his face wasn't as notorious in New Jersey.

Mike didn't ever want to leave. But he knew Monday morning that he would jeopardize the preliminary hearing if he didn't return to help Randy and Craig with their final preparations. Right now, the most important thing he could do for his daughter was stay out of jail.

Victoria stood with her father in the marble entryway, fully awake and charged for another day full of activities with her daddy. Mike dropped his bag, crouched down, and enveloped her tiny body in his arms. After a long embrace, Mike placed his hands on her narrow shoulders.

"I've got to leave again, sweetheart."

The child's eyes drooped, and she poked out her bottom lip. "Daddy stay."

"I would give anything to be able to stay with you, princess, but it's impossible."

"I come?"

"Daddy's business will be over in a few days, and I'll come back to see you."

"I be good," Victoria pleaded, and tears started to well up in her gentle brown eyes.

Mike heard soft steps above him and looked up to see his mother-in-law padding down the staircase.

"She thinks it's her fault that her mother left and that you're leaving," Sharon said.

Mike's eyes darted back to his pouting daughter, and his heart sank. "Oh, sweetheart!" He swallowed hard. "*You* haven't done anything wrong. This will all be over soon, and you will have your daddy back. I promise." He clutched Victoria's tender little body as if embracing her for the last time.

Victoria sniffled, and the moisture from her eyes wetted Mike's cheek. "Please don't go," she whispered in his ear.

Mike broke down, and his rushing tears mingled with his daughter's and streamed down his grief-stricken face. "I have no choice," he sobbed.

"Love you, Daddy."

"I love you too, Victoria."

Sharon edged closer, her face red and moist, and held her arms out for her granddaughter.

Mike kissed Victoria's tear-stained cheek and reluctantly pried her arms from around his neck. Sharon coaxed Victoria's quivering body away, and Mike felt as if his very heart had been torn from his chest. He dried his face with his shirtsleeve, picked up his bag, blew a kiss to his weeping daughter, and walked out the door.

Mike thought to himself, as the Sinclairs' estate grew smaller in his rearview mirror, that facing prosecution for murder would be easy compared to walking away from his daughter like that.

The long drive back to D.C. was agony. He tried to think about the preliminary hearing, but the image of pushing away his teary-eyed daughter haunted him every mile.

His thoughts wandered to the prosecutor—a Georgetown alum. Something about her seemed very familiar, but he just couldn't make the connection. They went to school and practiced law across town from each other for more than a decade, but he was confident they'd never met before. Men don't forget women that striking. *Karen Davis. Karen Davis. Karen Davis.* He repeated her name over and over in his head, and it suddenly became very clear.

▪

Craig escorted Dr. Browning to the war room where Randy was waiting with a fresh cup of coffee for the psychiatrist. Craig knew that Mike's guilt or innocence could depend upon Dr. Browning's validation of their sleepwalking defense, and Craig was anxious about the doctor's request to meet without Mike.

"Thank you for meeting with me this morning," Dr. Browning began as he settled into a seat across from Randy.

"We're glad you're on the defense team," Randy responded. "Why did you insist that Mike not be present for this meeting?"

Dr. Browning took a sip of coffee. "I discovered some information in my sessions with Michael that affects my ability to give an opinion that he killed his wife in his sleep."

A look of concern swept over Randy's face.

"What did you discover that was so alarming?" Craig asked.

The psychiatrist took another drink from the steaming cup and carefully measured his words. "I spent several hours interviewing Michael and talking with his mother by telephone regarding his history of sleepwalking. Mr. Kingston presented a classic case of sleep dysfunction beginning in his childhood."

Craig stifled an impatient frown.

"Michael recited to me in detail," Dr. Browning continued, "a vivid nightmare he had a few nights before his wife's death. Mike dreamt he was being pursued through the jungle by a huge beast and woke up with his hands around Helen's neck. I understand that he told you both about this dream."

The attorneys nodded.

"Mike recounted two subsequent episodes that he again was able to describe in great detail. One at a school dance and another at a party in his backyard featuring appearances by the same monster. Usually when a person awakens from sleepwalking, he is confused and has complete amnesia of the episode except for vague fragmentary images. But Mike could remember entire story-like dreams."

"So because Mike remembered the details of his dreams, he wasn't sleepwalking?" Craig asked warily.

"Mike's parasomniac behavior exhibits symptoms of REM sleep behavior disorder. His memory of the details of his dreams, along with the violent activity, differentiates Mike's sleepwalking from somnambulism or the typical sleepwalking disorder."

Randy and Craig both had blank stares.

“When a person with REM sleep behavior disorder walks in his sleep he is in a heightened dreamlike state during REM sleep in the later part of the night. The dream seems so real that the person physically but subconsciously responds to the stimuli presented by the delusion, sometimes reacting violently, and remembers the dream.”

“What did Mike dream about the night of Helen’s death?” Randy asked.

“That’s what is so peculiar,” the psychiatrist responded. “Michael didn’t have any apparent dreams on the night of his wife’s death.”

“So you think Mike wasn’t asleep when he smothered his wife?” Craig’s voice cracked with anxiety.

“I think he *didn’t* kill his wife.” Dr. Browning paused while the words sank in. “I put Mike under hypnosis so I could discern his subconscious memory of the time surrounding Helen’s death. He had no memory of anything between the time he fell asleep in the den and the time his daughter woke him up and he found Helen dead.”

“So because Mike has no subconscious memory of smothering Helen,” Craig sounded hopeful, “he didn’t do it?”

“The alternative is that he is a cold-blooded killer with the ability to completely block my hypnotic suggestion.”

“So are we left with any theory about what happened that night?” Craig implored.

“Yes,” Dr. Browning said. “Michael slept soundly while someone else broke into his house and killed his wife.”

“That’s great news. But we still have to pursue the unconsciousness defense,” Randy thought aloud, “until we have more evidence than a strand of blonde hair and the word of a two-year-old that a monster was in her room that night.” He looked back at the psychiatrist. “I know you can’t form an admissible expert opinion based on any information you learned from Mike while he was under hypnosis, but you could still testify that he has a history of walking in his sleep or”—Randy read from his notes—“REM sleep disorder, and that it’s possible, if Mike swears he has no conscious memory of causing Helen’s death, he did kill her in his sleep.”

Dr. Browning stroked his chin and responded, “I’d feel comfortable giving that testimony.”

“What do you make of all these vivid dark dreams Mike was having with beasts chasing him?” Craig asked.

“Well, Michael was under considerable stress in his career, working around the clock and making one last push to impress those who would be voting on him for partnership. The tension at work also put strain on his home life. My impression is he felt a lot of pressure to advance his career, but that was not something *he* really wanted. I suspect all this contributed to his recent nightmares.”

“Now what do we do with Mike’s testimony?” Randy asked of no one in particular.

▪

Mike drove straight to the office when he got back into town late Monday morning. He took his usual circuitous path through the alley and into the back stairwell to avoid any reporters. He bounded up the steps, energized by the time spent with his daughter, and eager to tell his friends the incredible news about the prosecutor.

Diane was quietly leafing through a parenting magazine at the reception desk when the door to the nearby stairwell clicked shut. She turned and saw Mike approaching, and a wistful smile swept across her red lips. Mike stopped to tell her about the highlights of his weekend with

Victoria, and he remembered again the painful good-bye. But before he got emotional, Diane had to answer an incoming call, and Mike continued on to the conference room.

Mike found Randy and Craig sitting at the conference table with sullen faces. They looked up without reacting.

“Bad news,” Randy said. “You’re going to have to be prepared to testify.”

Mike was astonished and started pacing around the cluttered conference room. “I don’t remember much about criminal procedure from law school, but don’t I have a constitutional right to avoid self-incrimination?”

“Davis isn’t going to call you,” Randy said. “We are.”

“I don’t understand,” Mike said.

“First you’ll need to explain what you said about killing Helen over the baby monitor in order to counter Mrs. Barney’s testimony. Second, you’ll need to testify that if you did smother Helen, you did it in your sleep.”

“I thought you were going to use Dr. Browning to put on our unconsciousness defense.”

“Dr. Browning doesn’t think you actually smothered Helen.”

“That’s good news then,” Mike’s said. “Why can’t he just say that?”

“The basis for his opinion is inadmissible hypnosis evidence, and regardless, he can’t give an expert opinion on whether you actually killed her. But he will still give the foundation for your testimony.”

“I thought we weren’t going to put on that defense at the prelim.” Mike sank into the chair opposite Randy.

“The best chance we have of returning your life to normal is at the prelim. Having you testify will apply the right kind of pressure to make that possible.” Randy peered at Mike. “Trust me on this one.”

Mike’s mood suddenly brightened. “I’ve got some good news for a change. I remembered why Karen Davis’s name sounds familiar to me. You’re never going to believe this.”

Craig perked up.

“What is it?” Randy grinned at the suspense.

“Craig said she went to Georgetown the same time as us and that she interned at the free legal clinic. Helen was an intern at the clinic too.”

“Do you think they knew each other?” Craig asked.

“Not only did they know each other, but they hated each other!”

Randy and Craig exchanged looks of disbelief.

“I remember Helen repeatedly complaining about some prima donna named ‘Karen’ strutting around the office flipping her ‘goldilocks’ all over the place. I discounted most of what she said as just PMS talking. But Helen was convinced that Karen got all the best clients because she was sleeping with the director. I think they actually got into a shouting match at the office when Helen accused Karen of stealing one of her cases.”

“That’s unbelievable,” Craig said. “Should we try to get her disqualified?”

“That could end up pretty bad for Davis,” Randy responded. “I don’t think it was a mistake that they assigned such a high profile case to a young prosecutor for her first murder trial. We should let this sleeping dog lie and see what kind of leverage we can get from it.”

“Besides,” Mike added, “we could draw a seasoned prosecutor with dozens of murder convictions if Davis is DQ’d.”

“Let me raise another issue,” Craig said. “The press is going to go nuts tomorrow when they hear about Helen’s old bruises and Mike’s baby monitor *confession*. Unless we get a gag order, the publicity could taint the jury and cause a mistrial.”

“Whoa, cowboy. Who said anything about losing or even getting to the jury? Let the press in, so they can witness Mike’s exoneration tomorrow. Now let’s get to work.”

The entire defense team labored late into the evening organizing their materials, finalizing witness outlines, and perfecting their strategy. Randy said he was satisfied that they had done all they could and finally dismissed everyone at 10:30 with the charge to “get a good night’s sleep and meet at the courthouse at 9:00 a.m. prepared for battle.”

Mike stopped at his office to check his mail on the way out, and by the time he wandered back to the reception area, Diane was the only person left.

“Are you nervous about the hearing?” Diane asked as they stepped onto the elevator.

“Randy is confident,” Mike said.

“You’re in good hands,” Diane said as the elevator descended.

“I really appreciate your help, Diane.”

“It’s the least I can do.” She looked at him pensively and slid her arm around his waist.

The elevator door opened, and a scruffy man with a camera snapped a picture. “Oh no,” Mike muttered and looked over at Diane. He panicked and staggered after the photographer, but before his eyes could readjust from the flash, the man was out the door.

Diane clenched her teeth and watched the escaping man as if she was trying to memorize the license plate of a hit-and-run driver.

After a few moments, they calmed themselves and warily proceeded to the parking garage. Halfway down the steep drive, Diane stopped in front of a blue BMW. “Thanks for walking with me.”

“My pleasure,” Mike said. You never know what kind of crazies you might find down here. I’ll see you in the morning.”

“Good-night, Michael.” Diane gave a coquettish smile and slid into the driver’s seat. Mike watched with a blank stare as she drove away, and he contemplated how Randy planned to secure an acquittal.

## TEN

Mike pulled into the staff lot at the Justice Center where Randy had arranged for them to park, so Mike wouldn’t be mobbed by the press as soon as he arrived. It was just after 9:00 a.m. He stepped out of his Lexus clean-shaven and outfitted in his finest Italian suit. Craig was waiting for him on the sidewalk with a troubled expression.

“I have terrible news,” Craig said. “Randy was in a car accident this morning.”

Mike deflated, and his mouth fell open. “Oh no. I hope he’s okay.”

“He said he didn’t have any serious injuries,” Craig said, “but they took him to the hospital to make sure.”

“What’re we going to do?” Mike said, rubbing the back of his neck.

“I’ll handle the hearing,” Craig said. “I know the evidence and the witnesses. Randy gave me some pointers.”

“You can’t pass on decades of trial experience with a few pointers.” Mike’s voice escalated. “This is my life we’re talking about! We have to ask for a continuance.”

“Who better than your best friend to protect you when your life’s on the line? Trust me.”

Mike blew out a deep breath. “What else could possibly go wrong,” he said, and edged forward. “Let’s go.”

Craig put his arm around his friend and led him past the corner where Mike got his first look at the mob gathered at the entrance. “We have to run the gauntlet first.”

Mike counted at least five television vans in the parking lot and about fifty reporters and photographers. Craig urged him onward, and Mike’s heart pounded violently.

The buzzing of the journalists rose to a fever pitch as they spotted their mark. They raced down the sidewalk and swarmed Craig and Mike, shouting questions and thrusting microphones at the attorneys. Flashbulbs exploded all around them, and television cameras whirred. Craig and Mike could hear only a chorus shouting “Mr. Kingston,” “sleepwalking,” and “evidence.” They kept their heads down and stiff-armed the jeering reporters with their briefcases to create enough space to press forward through the door to the safety of the Justice Center.

The rumbling from the congested gallery abruptly ceased when Mike and Craig entered the courtroom and walked in silence down the aisle. A few reporters followed them in and quickly filled the few remaining bench seats. Grace and Laura were outfitted in their courtroom attire and seated on the bench behind defense counsel’s table on the right. Mike aimed a polite smile at Karen, who was sitting at the commonwealth’s table on the left in a dark skirt suit with her flowing blonde hair clipped neatly behind in a conservative ponytail.

“Good-morning, Ms. Davis,” Craig said without affect. It was all business now.

A few whispers, then a low hum began again in the gallery.

“A good morning indeed,” Karen said. “Where’s Mr. McKenzie?”

“He didn’t want to miss his monthly pedicure appointment,” Craig said.

“All arise,” the bailiff commanded at precisely 9:30 a.m. The crowd silenced and complied.

Judge Ferguson ascended the bench in her pressed black robe and with a stack of papers under her arm.

“The District Court for the Commonwealth of Virginia is now in session,” the bailiff beckoned. “Judge Marilyn Ferguson presiding. Please be seated.”

“Good-morning, counsel,” the judge commented as she dropped the heavy files and leaned back in her chair.

“Good-morning, Your Honor,” the attorneys responded, and remained on their feet.

Judge Ferguson quickly reviewed the docket sheet and glared out at the large audience. “On calendar this morning is the preliminary hearing in the matter of Commonwealth versus Kingston. I received a note from the bailiff this morning that Mr. McKenzie was involved in a minor car accident. I hope no one was hurt.”

“Thank you, Your Honor,” Craig said. “Mr. McKenzie was taken to the hospital as a precaution, but I understand there were no serious injuries.”

“Mr. Stone, are you prepared to proceed in his absence?”

Inside, Mike felt utter panic. But his faced showed calm.

Craig answered with confidence, “Yes, Your Honor.”

“I have reviewed your briefs outlining the legal issues. This should be an interesting hearing. But we’re not going to turn this into a circus,” Judge Ferguson sternly commanded then eyed the attorneys and the onlookers. “Is the commonwealth ready to proceed?”

“Yes, Your Honor,” Karen answered.

“Let’s begin with a brief opening statement, Ms. Davis.”

“Thank you, Your Honor.” Karen strode up to the podium and opened her notes.

Craig and Mike sat down.

“Poor Helen Kingston,” Karen began, her voice filled with rich emotion.

“Save the theatrics for the jury,” Judge Ferguson thundered.

“Y-yes, Your Honor.” Karen blushed, and she took a deep breath to begin again.

Mike heard a few snickers, which drew a cross look from the judge.

“Helen Kingston went to bed on Wednesday,” Karen began again in a more professional tone, “not knowing that her husband, Michael, and his mistress had hatched a plan to smother her in her sleep. She never woke up again. Helen had suspected for weeks that Mike was being unfaithful to her. He came home late several nights with fabricated excuses for his absence, and he became evasive and belligerent when Helen naturally became curious. Mike admitted to Helen that on one of these occasions he had been in his office drinking with a female client who left her scarf behind. Mike swore that it was completely innocent, and Helen naïvely believed him. Just a few nights before Helen’s tragic murder, Mrs. Barney, the Kingstons’ next-door neighbor, overheard Mike in the middle of the night plotting with his mistress to kill his wife. Perhaps on that very same night, Helen’s predatory husband admittedly wrapped his hands around her throat while she slept and tried to strangle her.”

A few spectators gasped. The reporters in the courtroom scribbled feverishly in their notepads.

“Helen kicked and screamed with all her might,” Karen continued, “until Mike became afraid the neighbors would hear her cries, and he released his grip. He convinced her that he had been sleepwalking. And if she hadn’t been such an innocent, trusting wife, Helen Kingston might be alive today.”

Judge Ferguson made notes but telegraphed no preconceptions with her experienced poker face.

“Mike arrived home from work late again Wednesday night and immediately started another fight with Helen about whether he was having an affair. She kicked him out of the bedroom this time, and he ended up falling asleep on a chair in the upstairs office. At about 2:15 in the morning, Mike crept back into the bedroom, took a pillow from the bed, and held it tightly against Helen’s face until her body went limp. He waited a few minutes to be certain she was dead, then he called 9-1-1 and pretended that he had simply found his wife unconscious. When the paramedics arrived, the house was locked up tight. Mike didn’t answer the door, so they had to obtain a key from the next-door neighbor. By the time they reached Mrs. Kingston, she had been dead for about thirty minutes. The detectives who inspected the Kingstons’ home found no evidence of forced entry, no missing property, and no other indication that anyone else had been in their home that night. Most importantly, however”—Karen forced an indignant tone—“the investigators found a long strand of blonde hair from Mike’s mistress in the Kingstons’ bed.” She paused for emphasis and then concluded. “Mike Kingston plotted with his girlfriend to smother his wife in the middle of the night, succeeded on the second try, and claimed that Houdini mysteriously appeared inside the locked house, murdered his wife, and escaped without a trace. But the commonwealth is not going to let him get away with it.” Karen spun around and marched back to her seat.

“Thank you,” Judge Ferguson said. “Mr. Stone?”

Craig stood and walked up to the rostrum, leaving his notes behind. “Poor Helen Kingston would turn over in her grave if she knew the specious allegations the commonwealth was making against her husband. Michael Kingston did not murder his wife.” Craig returned to defense counsel’s table.

The audience began to mumble softly.

Judge Ferguson looked back at Karen. "Ms. Davis, you may call your first witness."

"Thank you, Your Honor," Karen responded, and approached the podium with her notebook. "The commonwealth calls Dr. Elvin T. Marshall."

The bailiff headed toward the back of the courtroom, and moments later, a slender, middle-aged African-American man walked into the courtroom. Dr. Marshall tucked a file under his arm and buttoned his navy blue blazer. He walked directly toward the witness stand and stopped next to the court reporter.

"Raise your right hand," the reporter commanded.

Dr. Marshall lifted his arm to a rigid right angle.

"Do you solemnly swear," the reporter continued, "the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?"

"Yes."

"Please take the witness stand, Dr. Marshall," Judge Ferguson said.

Dr. Marshall stepped onto the witness stand, sat down, and placed his file open in front of him.

"Good-morning, Dr. Marshall," Karen said.

"Good-morning, counselor." Dr. Marshall withdrew a pair of reading glasses from his shirt pocket and slid them on past his graying temples.

"Please state your full name for the record."

"Dr. Elvin T. Marshall."

"What is your current occupation?"

"I've been the Fairfax County Medical Examiner for twenty-three years." Dr. Marshall's speech was slow and deliberate, showing he was a seasoned witness.

Karen continued to probe Dr. Marshall about his qualifications. When the judge began to appear impatient, she got to the substance of his testimony.

"Did you examine the body of Helen Kingston?"

"Yes," Dr. Marshall answered. "My office directed the paramedics to bring Mrs. Kingston's body to the hospital since it wasn't immediately apparent that foul play was involved, and I examined the body there."

"Did you determine the cause of death?"

"Yes." Dr. Marshall began scanning his notes. "Mrs. Kingston's death was caused by a lack of oxygen to the brain."

"What caused the lack of oxygen to her brain?"

"Her eyes were bloodshot, she had foreign skin cells under her fingernails, and there were fresh bruises on her arms and torso, indicating she likely tried to fight off an attacker. There were no fresh bruises around her neck or mouth," Dr. Marshall continued, "so my conclusion is that she was murdered and that the killer used something soft like a pillow or blanket pressed tightly against her face. Her blood chemistry ruled out death by chemical asphyxiants. And neither the paramedics nor Mr. Kingston found anything blocking her throat or anything else that would give me any reason to conclude she was not murdered."

Mike knew the M.E. report by heart, but Dr. Marshall's live testimony that Helen was murdered had a deep impact on Mike. However, Randy's mantra to "think like a lawyer" sprang into Mike's mind, and he swallowed hard and snapped back to attention.

"Dr. Marshall," Karen continued, "what did you do with material you collected from underneath Mrs. Kingston's fingernails?"

“I saved the sample in a small evidence bag and sent it to the crime lab.”

With the judge’s permission, Karen approached the witness and showed him a plastic evidence bag with a signature across the top. “Is this the sample?”

Dr. Marshall carefully examined the sealed bag. “Yes.”

“Can you estimate the time of Mrs. Kingston’s death?”

“Yes. Based on the paramedics’ report at the scene about the color of her skin and the recorded body temperature when she was declared dead at the hospital, I concluded that she died about half an hour before the paramedics arrived or approximately 2:15 a.m.”

“Did you notice anything else unusual about Mrs. Kingston’s body?” Karen asked.

“There were some old bruises around her neck that looked like someone had tried to strangle her.”

“Did the old bruises have any relation to her death?”

“Not directly. The bruises were caused about three to four days before she died.”

Faint gasps emanated from the gallery.

“Thank you, Dr. Marshall. No further questions, Your Honor.”

“Cross-examination, Mr. Stone?” the judge asked.

Mike’s entire body tensed. It was hard enough for him to sit there and hear the sterile facts about his wife’s murder, and now he had to rely upon his inexperienced friend to steer the evidence away from him.

“Thank you, Your Honor.” Craig stood up at counsel’s table. “Dr. Marshall, you don’t have an opinion about who murdered Mrs. Kingston, do you?”

“That’s correct, sir.”

“Only that she was murdered, right?”

“That’s correct.”

“You did not personally try to identify whose skin cells were under Mrs. Kingston’s nails?”

“That’s correct.” Dr. Marshall remained deliberate and disciplined.

“Thank you, Dr. Marshall. That’s all the questions I have.” Craig sat back down.

Mike breathed a little easier.

Judge Ferguson looked at Karen. “Redirect?”

“No further questions, Your Honor.”

“Thank you for your time, Dr. Marshall. You are excused,” Judge Ferguson said, and penned a few notes.

Dr. Marshall gave an encouraging grin to Karen as he walked past her and strode out of the courtroom.

Karen turned to the next tab in her hearing notebook. “The commonwealth calls Nadine Tolbert.”

After taking the oath, Nadine warily eased into the witness chair and locked eyes with Mike. He smiled and nodded at her, and she relaxed her knit brow.

After eliciting the necessary background information, Karen asked Nadine to describe her conversations with Helen about “the defendant” during the last few weeks before the murder.

“Helen told me,” Nadine reluctantly began, “she was concerned Mike was staying out late almost every night. He’d told Helen that he was working, and she believed him because he was in the middle of a hotly contested case. But she got real suspicious when he came home one night with lipstick on his neck and wine on his breath—Mike isn’t much of a drinker—and he admitted that a female client had tried to seduce him in his office. Helen said Mike started

having dreams about old girlfriends. And she told me about weird sleep-walking episodes like when he woke up on the patio in his pajamas.”

Scattered grins crossed the faces of several audience members.

“Did she tell you about any other sleepwalking episodes before her murder?”

Nadine glanced at Mike and began to wring her hands. The prosecutor gave her an impatient look, and she grudgingly continued. “Helen said she was frightened one night because Mike almost strangled her in his sleep during one of his nightmares.” The gallery whispered excitedly as Nadine continued. “Mike told her he’d dreamed he was falling over a cliff and grabbing on to a tree to save himself. She said she was badly shaken but didn’t think Mike was intentionally trying to hurt her.”

Mike’s heart raced, and he gripped the arms of his chair as he listened to Nadine recount her conversations with Helen. He wished they could exclude Nadine’s damaging testimony as hearsay. But he knew the commonwealth was offering the statements to prove Mike’s motive and not for the truth of the matter asserted, and thus the evidence was admissible.

“Were you at home on the night of Helen’s murder?” Karen asked.

“Yes, I was.” Nadine’s face drooped.

“Did you hear anything happening at the Kingstons’ house that evening?”

“I wasn’t eavesdropping or anything like that, but my windows were open, and I did overhear Mike and Helen discussing why he got home late. I didn’t hear anything else until a siren woke me up at about 2:45 a.m.”

“What happened next?”

“I was very concerned when I saw the ambulance parked in the Kingstons’ driveway, and I grabbed the spare key Helen had given to me and ran it to the paramedics. I followed them up the stairs and saw Helen on the bed, and my heart sank. I wanted to go see how she was, but I heard Victoria crying and ran to her room instead.”

“What did Helen’s body look like when you first saw her?”

“I don’t think I ever saw her body until the paramedics wheeled her down the hall,” Nadine swallowed hard and closed her eyes, “covered by a sheet.”

“How did the defendant react to his wife’s death?” Karen asked.

“Mike was very distraught.”

“Well, was he in tears?”

Nadine considered the question for a moment. “I never saw him actually cry, but—”

“What happened to Victoria?” Karen quickly interjected.

Nadine began to appear flustered. “I took care of her for a few days while Mike dealt with, you know—”

“Were you afraid she wouldn’t be safe with the defendant?”

Nadine took a deep breath and tried to gather herself. “Well, not afraid. Mike was so upset because of Helen—”

“Are you still taking care of Victoria?”

“No. Helen’s parents took her to stay with them in New Jersey.”

Mike felt like burying his head in his hands. Nadine wasn’t trying to hurt his case, but she certainly wasn’t helping.

“Did Victoria’s grandparents fear for her safety if she stayed with the defendant?”

“Objection.” Craig swiftly stood up. “Calls for speculation.”

“Sustained,” Judge Ferguson said with an icy you-know-better-than-that stare at Karen.

“When was the next time you saw Mr. Kingston after Helen’s death?” Karen continued.

“I saw Mike briefly the next morning,” Nadine explained. “He looked exhausted. I watched Victoria that day while Mike went to the hospital to complete some paperwork and then to an attorney’s office to handle some things relating to Helen’s death.”

“The defendant went right to work administering Helen’s estate, and he didn’t stop to mourn the loss of his wife or comfort his motherless daughter?”

“Well, I don’t know—”

“Objection, Your Honor,” Craig said. “Leading and argumentative.”

“Sustained,” the Judge said.

“What did Mr. Kingston do with his wife’s clothing?” Karen continued.

Nadine paused, lowered her head, and raised her hand to her mouth.

“Mrs. Tolbert?” Karen gently prodded.

“Within a few days,” Nadine continued, “Mike cleared most of Helen’s clothing and personal effects out of the house. He said he—”

“Thank you, Mrs. Tolbert.” Karen said, meaning it, and sat down.

Mike exhaled and thought to himself, *Please, Craig, turn this around.*

Craig stood and launched into his cross-examination. “The day after Helen’s death,” he began, “you didn’t take care of Victoria because you were afraid Mike would harm her, did you?”

“Oh, of course not.”

“You wanted to help out a friend who was shocked and deeply saddened by the death of his wife?”

“That’s correct.” Nadine straightened her posture.

Mike perked up.

“You wanted to give Victoria more attention than her father could under the circumstances,” Craig continued.

“She’s like a granddaughter to me.”

“How long have you known the Kingstons?”

“More than five years.”

“Would you say Mike and Helen had a happy marriage?”

“Very much so,” Nadine responded without hesitation.

“They had minor disagreements like all couples who love each other, didn’t they?”

“They were rarely cross with each other and never stayed angry.”

“You were Helen’s closest friend, weren’t you?”

“I believe so,” Nadine responded with sadness in her voice.

“She told you everything.”

“Yes. She was very open with me.”

“Helen never said she believed Mike could be cheating on her, did she?”

“Never.”

“Helen said she was only concerned about Mike working long hours away from his family, didn’t she?”

“Yes. She often spoke about Mike’s late nights but never told me she suspected he could be having an affair.”

“Did you see the old bruises on Helen’s neck?” Craig asked.

“Yes,” Nadine answered.

“She said she believed Mike was asleep when he had his hands pressed on her neck to cause those old bruises, didn’t she?”

“That’s correct.”

“In fact, in all the years you’ve known the Kingstons, you’ve never seen Mike behave violently toward Helen or anyone else, have you?”

“No, not while he was awake.”

There were a few scattered laughs from the gallery.

“Let’s talk about the night of Helen’s death,” Craig continued.

“Okay.”

“How long did the conversation between Mike and Helen last?”

“Only about five minutes, and then I heard them laughing.”

“You didn’t hear anything else until the ambulance pulled into the Kingstons’ driveway, and you investigated.”

“That’s right,” Nadine answered.

“You followed the paramedics inside and went straight to Victoria’s room?”

“Yes. She was screaming because of the commotion.”

“You didn’t pay attention to Helen’s condition or the EMTs because you were busy comforting the baby.”

“That’s correct.”

“Mike appeared shaken up because of the tragic death of his beloved wife?”

“Yes, between Helen’s death and the stress at work he seemed to be sort of dazed.” Nadine looked over at Mike and smiled sympathetically.

Craig flipped to a new page of notes and continued. “Now, the commonwealth wants everyone to believe that Mike murdered Helen because he was having an affair. But you never saw any evidence that he was having an affair, did you?”

“Oh no.”

“You never saw any strange woman enter Mike’s house while Helen wasn’t at home?”

“Never.”

“You’re not aware of any life insurance policies or any other separate assets Helen had that would benefit Mike upon her death, right?”

“That’s right.”

“Can you think of any reason Mike would have wanted Helen dead?”

“They loved each other very much.” Nadine looked misty-eyed and glanced at Mike, who returned a grateful smile. “No, I can’t think of a single reason.”

“Helen didn’t have any enemies, did she?”

“Helen got along with everyone. That’s what made her so special.” A single tear began to run down Nadine’s cheek, and she caught it with her fingers.

“Was there ever anyone she didn’t get along with?”

“In all the time I’ve known her, there was only one person I ever heard her talk negatively about. It was a blonde woman that she worked with at a legal clinic during law school that stole a client from her.”

Karen seemed to freeze in her seat.

Mike silently erupted. He wished Craig could expose the prosecutor’s secret right in front of the court and the press. But Mike knew Randy was right—that they were better off with Karen than a more senior attorney.

“Thank you, Mrs. Tolbert,” Craig concluded, and sat down.

The courtroom grew still. The judge looked over at Karen. The young prosecutor twitched nervously in her seat.

“Ms. Davis,” Judge Ferguson broke the brief silence.

Karen blanched. “Oh, no further questions, Your Honor.”

Mike gave Nadine a big grin as she stepped off the witness stand. Nadine smiled back with a confused but satisfied expression.

“Your Honor,” Karen said hesitantly. “May we take a short recess?”

“The morning is still young, Ms. Davis. Take a deep breath and call your next witness.”

Karen brushed the hair from her pale cheeks, turned to the next tab in her hearing notebook and announced, “The commonwealth calls Detective Frank Jarek.”

Mike shuddered upon hearing the detective’s name.

After the reporter administered the oath, Jarek’s sprawling figure settled into the witness chair, and Karen readied herself at the podium.

She first extracted Detective Jarek’s background information. He did not seem eager to be there answering questions, even to support a prosecution for his own arrest. When Karen finally got to questions about his investigation, Jarek began to show an interest.

Jarek explained that he and his partner, Gavin Woods, showed up early the morning after Mrs. Kingston’s death, with an investigator from the crime-scene section. They processed the entire house, inside and out, looking for physical evidence. The detective also established the chain of custody for the blonde hair, foreign carpet fibers, and fingerprints, which they had gathered at the scene and hand delivered to the crime lab for analysis.

The detective next described how he and his partner interviewed witnesses about the events at the Kingstons’ house and the identity of any potential suspects. These interviews revealed that Mike had been recently seen with several blonde-headed women. The detectives obtained hair samples and cheek swabs from these women and numerous others and delivered those samples to the crime lab.

Jarek finally testified that they found no signs of forced entry into the house and identified no stolen property that would support an inference that a thief had been in the house. Karen concluded her examination and seemed relieved to be finished with this difficult witness.

“When you say there were no signs of forced entry,” Craig immediately began to attack Jarek on cross-examination, “you mean you didn’t see any broken windows or jimmed locks?”

The detective folded his arms and rested them upon his pot belly. “Or a giant hole blown in the wall if we’re making a list.”

The spectators laughed, and the judge banged her gavel and called the courtroom back to order.

Craig smiled and said, “You couldn’t tell if someone entered with a key?”

“You expect me to believe a killer would lock the front door on his way out?”

“You couldn’t tell if that did happen?”

The detective huffed and shook his head in disbelief.

“Is that a no?” Craig asked.

“No,” Jarek mumbled.

“You didn’t even investigate that possibility or ask Mr. Kingston if the chain was across the door to prevent someone from entering with a key?”

“You’re fantasizing.”

“Your Honor,” Craig looked to the judge for help.

“Answer the question, Detective,” the judge instructed.

“No,” Jarek said as his face grew red.

“If someone entered and exited the Kingstons’ house with a key on the night of Helen’s death, you wouldn’t know about it?”

Jarek scowled and hesitated. “There was no reason—”

Craig held up his hand. “So your answer is no?”

“No,” the detective smugly responded.

“In order to identify the person whose blonde hair you found at the scene you took samples from possible suspects?”

“That’s right.” Jarek looked away disinterested.

“You took samples of blonde-haired women at Mr. Kingston’s office?”

“Yep.”

“You didn’t take hair samples from any of his neighbors, did you?”

“Nope. The foreign carpet fibers in the Kingstons’ bedroom were from the flooring at Mr. Kingston’s firm, so we were right to limit our sampling to women at the office.”

“Were the blonde hair and carpet fibers tied together?”

“They were found together on the bed—it’s circumstantial evidence.”

“But you couldn’t eliminate the possibility that the carpet fibers came from Mike’s or even Helen’s shoes?”

“We ruled that out by examining all the shoes in the closet, and none of them had collected carpet fibers like the sample we found.”

“You didn’t check the shoes Mike had on that day?”

“The carpet fibers had traces of red shoe polish, so we didn’t need to check Mike’s shoes unless he was wearing red pumps.”

A few snorts escaped from the gallery.

“Nevertheless,” Craig continued, “you didn’t obtain hair samples from any of Mr. Kingston’s clients who had walked on the carpet at the firm, other than from Mrs. Hoff’s scarf that Mike voluntarily surrendered to you?”

“That’s right.”

“You didn’t take samples from Mike’s blonde-headed adversaries?”

“That’s right.”

“You never did identify the person whose blonde hair you found?”

“Not yet.” Jarek’s frustration swelled.

“You couldn’t know if the blonde strand fell off Mike’s jacket after a flight from New York with a blonde flight attendant.”

Jarek turned away fuming.

Craig stepped next to Karen. “You couldn’t know if the blonde hair belonged to Ms. Davis, the prosecutor?”

Karen sprang to her feet. “Objection, Your Honor.” She flipped her head furiously, tossing her blonde hair around and emphasizing Craig’s point. “Mr. Stone is way out of line!”

“Move on, Counsel,” the judge sternly instructed. “I get the point.”

Craig acknowledged the judge’s direction. “So, Detective, the only group of suspects you can eliminate is blonde-haired women who work at Mr. Kingston’s office?”

“We know the hair found in the bed belonged to a woman,” Jarek lashed out, “and that’s all we need in order to show Mike was having an affair.”

Craig gave an icy stare back at the detective. “That’s because you’re not really interested in finding Helen’s killer, are you?”

Karen shot to her feet again. “Your Honor, Counsel is badgering the witness.”

“No further questions, Your Honor.” Craig calmly returned to his seat. Mike’s confidence in his friend swelled with each succeeding witness.

“Redirect, Ms. Davis?” the judge asked.

“No, Your Honor.”

“Thank you, Detective,” Judge Ferguson said. “You’re excused.”

Jarek frowned and stomped out of the courtroom.

Mike concealed a smirk as he turned and watched the detective leave. Laura and Grace gave him an encouraging smile.

Karen next called Lisa Watson from the county crime lab.

Karen’s direct examination flowed smoothly, like a well-rehearsed play, as she covered Lisa’s professional qualifications and experience.

Lisa then explained the laboratory analysis she conducted on the physical evidence found at the scene. She performed DNA testing on the blonde hair found in the Kingstons’ bed. The follicle had the root and some blood, evidencing that it may have been forcibly removed. Her analysis determined that it probably came from a woman in her early twenties to mid-forties. The DNA from the hair did not match any of the samples gathered by the detectives, including Laura Ashton, Tanya Hoff, and anyone else at Baker Williams from whom samples were obtained.

Lisa also processed the fingerprints obtained at the scene and found no prints that matched any criminals in the databases she searched.

Lisa analyzed the carpet fibers found in the Kingstons’ bedroom and concluded that they came from an expensive oriental rug in the lobby of the law firm where Mike worked. She also observed traces of red shoe polish on the carpet fibers.

Finally, Lisa testified that Mike’s DNA was a “perfect match” to some of the skin cells collected from under Mrs. Kingston’s fingernails.”

“So in Mr. Kingston’s bedroom”—Karen began to tie the evidence together—“you’ve got a blonde hair from an unidentified woman about Mr. Kingston’s age, carpet fibers from the shoe of a woman who had been at Mr. Kingston’s firm, no fingerprints revealing anyone with a criminal record had been in the Kingstons’ bedroom, and Mr. Kingston’s skin cells under his dead wife’s fingernails?”

“That’s correct.”

“Thank you for your time, Ms. Watson.” Karen smiled at the woman and sat down.

“Ms. Watson,” Craig began, “wouldn’t Helen have collected Mike’s skin cells under her fingernails simply by scratching his back?”

“With the amount of cells we found,” Lisa said, “she would’ve had to do more than scratch an itch.”

A reporter on the back row smirked.

“So Mike could’ve had a really big itch that Helen scratched really hard?”

A few more snickers escaped from the audience, and the judge glared at the crowd.

“I guess that’s possible,” Lisa conceded.

“You found material other than Mike’s skin under her nails, didn’t you?”

“Of course,” Lisa replied. “Everybody has a certain amount of dirt, oil, and other particles under their fingernails.”

“In fact, you found other skin cells that weren’t Mike’s?”

“That’s right.”

“But you didn’t identify who those cells came from because you were only looking to find cells that would match Mike’s DNA?”

“Detective Jarek told me he just wanted to know whether any of the skin cells underneath Mrs. Kingston’s nails came from her husband. That’s what I looked for.”

“You didn’t try to identify the person from whom the other skin cells came?”

“Right.”

“You didn’t compare any of the skin cells from Mrs. Kingston’s fingernails with the DNA from the blonde hair found at the scene, did you?”

“No,” Lisa responded and scrunched her face. “I asked . . .,” Lisa said and glanced toward Karen, but she didn’t finish her thought.

After a brief pause, Craig continued. “If the DNA from the blonde hair matched the skin cells from Helen’s fingernails, this would support an inference that the blonde hair and skin belonged to Mrs. Kingston’s attacker, wouldn’t it?”

“Objection.” Karen jumped up. “Calls for speculation.”

Judge Ferguson considered Karen’s objection and announced, “Overruled. I’d like to hear the answer.”

“Yes.” Lisa sounded reluctant.

“But you didn’t compare the DNA from the two samples, and no one asked you to do so?”

“That’s correct.”

“Ms. Davis didn’t want you to compare the two samples because a match would have sunk her first murder trial?”

“Let’s move on, Counsel,” Judge Ferguson said, bailing Lisa out.

Craig didn’t have to ask what Lisa was going to do as soon as she got back to the lab because everyone in the courtroom already knew the answer. The gallery was abuzz, and Mike indulged his first real belief that he would escape prosecution for his wife’s murder.

“You found carpet fibers from Mike’s office in his bedroom,” Craig continued. “How unremarkable.”

“The evidence bag indicated that the fibers, which had traces of women’s shoe polish, were found on the cover of Mike’s bed, which sounds like a quick roll in the sack while the wife’s away,” Lisa said with a weak smile.

“Or it could mean Helen liked to read in bed with her shoes on.”

“We never found those shoes,” Lisa interrupted.

“Or it could mean that her blonde assassin wore red heels?”

Lisa sat with her arms folded and did not respond.

Craig let the question hang in the air for a moment, then sat down.

Karen asked no further questions on redirect, so everyone was left to speculate why the crime lab didn’t do a broader forensic analysis of the crime-scene evidence. The Judge dismissed Lisa, and she smiled at Karen apologetically as she stepped off the witness stand and exited the courtroom.

Judge Ferguson looked up at the clock, and the attorneys’ eyes followed. It was 10:45, and Mike could read the judge’s growing impatience in her stern expression.

Karen’s confidence appeared to wane with each succeeding witness. She arose hesitantly and called Malik Nasiri, her electrical-engineering expert.

Mr. Nasiri’s credentials were not controversial, so Karen briefly covered his education and experience to qualify him as an expert and keep the hearing moving. Mr. Nasiri then explained that he had conducted a site inspection at the Kingstons’ house with the defense expert and all of the attorneys present to study the placement of the baby monitor and to look for devices that could interfere with radio signals.

He researched the manufacturer's specs for Velma Barney's old cordless telephone and learned that the company withdrew the phone from the market twenty years ago after discovering that the lines were not secure and that the telephone's signal could cross with other radio devices such as cordless phones, televisions, and baby monitors.

The expert then described the tests that he and the defense expert conducted to show that Mrs. Barney's telephone could receive the signal from the Kingstons' baby monitor. Finally, he concluded it was his expert opinion that Mrs. Barney could have overheard voices from the Kingstons' baby monitor through her cordless telephone.

Mike overheard a few reporters in the second row whisper excitedly about Mrs. Barney's forthcoming testimony.

On Craig's cross-examination, Mr. Nasiri admitted that they could not exactly duplicate the conditions under which Mrs. Barney claimed she overheard Mike through the baby monitor and that there were many other factors that could have interfered with the signal allegedly received by Mrs. Barney's phone. Finally, the expert conceded that there was no way to confirm now whether Mrs. Barney overheard the Kingstons' baby monitor, a television, another cordless phone, or anything at all.

Mr. Nasiri's brief testimony concluded, and the judge excused him. As he stepped off the stand, the door at the back of the courtroom opened. Karen turned, and the color drained from her face as a towering, brawny, European man in a dark business suit strode to the front.

Craig grinned and whispered to Mike, "Deputy Commonwealth's Attorney Jerry Fields."

Karen looked at her boss with a curious expression. Jerry signaled for her to continue and took the seat next to hers at counsel's table.

Karen turned back toward Judge Ferguson, squared her shoulders, and announced, "The commonwealth calls Mrs. Velma Barney."

Mrs. Barney strolled into the courtroom wide-eyed and outfitted in her finest Sunday clothes. She walked toward the bench eagerly, like a student on the first day of kindergarten. The clerk directed Mrs. Barney to raise her right hand.

"Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth?"

"I do!" Mrs. Barney squealed.

The audience chuckled, and the grinning clerk directed Mrs. Barney to the witness stand. "Please be seated."

Mrs. Barney settled into the witness chair, placed her handbag on the desk in front of her, and surveyed the courtroom.

"Good-afternoon, Mrs. Barney," Karen began. "Thank you for appearing today."

"My pleasure," Mrs. Barney said, sounding sincere.

"Please state your full name for the record."

"Velma Barney. I don't use my maiden name."

"Do you know Michael Kingston?"

"Mike, oh yes. He's my next-door neighbor." She looked at him and waved.

"How long have you known Mr. Kingston?"

"Oh, for several years, ever since they moved in."

"Can you recognize Mr. Kingston's voice?"

"Sure, he's sitting right there," Mrs. Barney announced, and pointed at Mike.

Everyone in the courtroom smiled.

The red returned to Karen's face. She glanced at Jerry and tugged at her collar.

“Have you ever spoken to Mike on the telephone?” Karen asked.

“I’m sure I have several times,” Mrs. Barney responded.

“Can you recognize Mike’s voice when you speak with him on the telephone?”

“Oh yes.”

“Have you ever heard through your telephone receiver voices coming from the Kingstons’ house when you were on the phone with someone else?”

“Oh yes, a couple of times.” Mrs. Barney nodded her head.

“When was the first time?”

“Several months ago. I was talking to my daughter Nellie in Florida, and I heard the sound of a baby crying on the telephone.”

“Did your daughter have a baby?”

“Nope. She asked if there was a baby at my house. It turns out we were both hearing Victoria next door.”

“How did you know it was the Kingston’s baby?” Karen asked.

“I went to the front stoop holding the cordless, and I could hear the same sound of a baby crying coming from Victoria’s window.”

“Was there another occasion when you heard Mr. Kingston’s voice through your cordless phone?”

The audience began to chatter softly and shift in their seats apprehensively.

“Well, yes. A couple of weeks ago, I was talking with my sister Abby late at night. She just had a hip replaced and wasn’t feeling too well. Anyway, we talked for a couple of hours until it was late in the night. She lives in Oregon, so it wasn’t as late for her.”

“And what did you hear Mr. Kingston say?” Karen interjected.

“Oh,” Mrs. Barney continued, “I overheard Mike say he was going to kill Helen.”

Gasps echoed through the chamber, and shock flashed on the faces of the spectators. Reporters frantically transcribed Mrs. Barney’s testimony.

“How did you know it was Mr. Kingston?”

“I recognized his voice.”

“Did Helen Kingston in fact die soon after you overheard Mr. Kingston’s threat?”

“Yes. I believe it was three or four days later that Helen died.”

“Thank you, Mrs. Barney.” Karen closed her witness binder and marched back to her seat. She studied Jerry’s reaction, but her boss remained stone-faced.

“How old are you, Mrs. Barney?” Craig began his cross-examination.

“I’ll be seventy-four in November.”

“It was about one in the morning when you were talking to your sister with the new hip, correct?”

“That’s right.”

“What time had you gotten up that morning?”

“I typically get up around seven, so I was probably awake at seven that morning.”

“So you had been awake for about eighteen hours at that time?”

“I guess so.”

“Your sister on painkillers didn’t hear any mystery voice talking about killing did she?”

“No, but she did hear the singing.”

The reporters stopped writing and looked up at the witness.

“Did you hear the singing too?” Craig asked.

“Yes. I think it was a Beatles song.” Mrs. Barney softly hummed while she tried to remember the song.

“You understood it was Mike who was singing?”

“And he sounded terrible.”

Judge Ferguson grinned.

“Did you understand he was singing to his daughter?”

“Objection. Calls for speculation,” Karen interjected.

“Mrs. Barney,” the judge counseled, “only answer if you have personal knowledge.”

“I doubt anyone but Victoria would have tolerated his crooning,” Mrs. Barney said.

The gallery erupted in laughter.

After the chuckling subsided, Karen added, “Move to strike.”

“Granted,” the judge ruled. “Don’t speculate, Mrs. Barney.”

“You didn’t hear the voice of the person he was talking or singing to, did you?”

“That’s right.”

“You didn’t hear anyone complain about his singing,” Craig added, tongue-in-cheek.

“Right.”

“You didn’t hear anyone comment on Mike’s alleged threat to kill his wife?”

“That’s right,” Mrs. Barney said thoughtfully.

“Did you hear Victoria crying?”

“Because his singing was so bad?” Mrs. Barney asked with an innocent expression.

The audience burst into laughter again.

When the clatter finally died down, Craig continued. “You had reason to believe Mike was singing to Victoria?”

“I assumed so, but I suppose I don’t know for sure.” Mrs. Barney looked at the judge.

“You testified you heard Mike say, ‘I’m going to kill Helen.’ Those were not his exact words, were they?” Craig asked.

“I don’t remember exactly what he said,” Mrs. Barney conceded.

“Can you remember that Mike actually said something like, ‘Helen, I’m afraid I might kill you’?”

“Could be. I can’t remember for sure.”

“When you first overheard this statement, you didn’t immediately believe that Helen’s life was in danger because it didn’t sound like a threat?”

Mrs. Barney cocked her head and considered Craig’s question. She appeared slightly confused. “That’s correct.”

“You know Nadine Tolbert, Mike’s other next-door neighbor?”

“Nadine? Of course.”

“She testified that Helen told her about a nightmare Mike had a few nights before Helen’s death in which he dreamed he was falling down a cliff and woke up with his hands around Helen’s neck. Did Nadine or Helen ever tell you about that?”

“No.”

“Did Mike tell you that Victoria was awakened by the commotion and that, after his daughter went back to sleep, he expressed concern to himself that if he went back to sleep he feared he might have another such nightmare and harm Helen?”

“No. Mike never told me that.”

“Thank you, Mrs. Barney. No further questions.” Craig took his seat again.

“Redirect, Ms. Davis?” Judge Ferguson asked.

Karen picked up her notepad and started to rise, but Jerry constrained her. She looked at her boss perplexed. "Nothing further, Your Honor," she said after a slight hesitation.

The judge dismissed Mrs. Barney, and she strolled out of the courtroom with a childlike grin.

"Call your next witness, Ms. Davis," the judge ordered.

Mike held his breath, and his whole body stiffened.

Jerry whispered something to Karen, and the young prosecutor hesitantly announced, "The commonwealth rests, Your Honor."

Mike exhaled.

The judge looked at Craig. "Mr. Stone, does the defense wish to call any witnesses?"

"Yes, Your Honor," Craig announced, and rose to his feet. The courtroom grew silent. "The defense calls Michael Kingston."

A rush of excitement swept through the courtroom. Even Judge Ferguson did not hide her stunned expression.

Mike stood up and strode toward the witness stand. Jerry leaned toward Karen and whispered in her ear again.

"Your Honor," Karen shot to her feet and gave a quick glance back at Jerry. "May we take a short recess?"

"I guess we have been going nearly two hours. Let's take a ten-minute recess." Judge Ferguson banged her gavel and stood.

"All arise," the bailiff called out, and everyone in the courtroom immediately complied.

Judge Ferguson stepped down off the bench and walked out the side door to her chambers. As soon as the door closed behind her, the audience burst into animated discussions about Mrs. Barney's testimony and the defense's strategy as they quickly filed out of the courtroom. Mike eyed Jerry and Karen as they pushed their way through the crowd and into the hallway. The defense team followed at the back of the pack with Craig wearing a contented smile.

The defense team found a private corner in the hall and reviewed Mike's planned testimony. Near the end of the brief recess, Mike noticed Karen and Jerry engaged in an acrimonious exchange across the hallway. He called the others' attention to the scene, and Grace suggested that they were having a lovers' spat. Craig gave Mike a knowing grin and guided his colleagues back into the courtroom.

As the last few spectators scurried in and filled the remaining gallery seats, the prosecutors entered, with Jerry shepherding Karen like a teacher ushering his reluctant student to the principal's office. After precisely ten minutes, the bailiff called the tumultuous crowd to order, and everyone stood as Judge Ferguson reentered. Mike started toward the witness stand, and Craig casually restrained him, drawing a perplexed look.

Once the judge was seated again behind the bench, the bailiff directed everyone in the courtroom to be seated. Karen scowled down at Jerry and remained standing. The courtroom fell silent as everyone strained to hear Karen.

"Your Honor," Karen said through clenched teeth. She glared again at Jerry who with a stern nod compelled her to continue.

"Yes, Ms. Davis?"

"The commonwealth requests," Karen swallowed hard and forced the words out, "that the charges against Mr. Kingston be *dismissed*."

"Oh!" the audience gasped then burst out whooping and jabbering. Judge Ferguson stared at the prosecution's table with a furrowed brow.

Mike looked at Craig in disbelief, and Craig put his arm across Mike's shoulder and whispered, "Congratulations, Bro." Mike's heart raced as he stared vacantly at the judge who was pounding her gavel to silence the disorderly crowd.

"Ms. Davis." Judge Ferguson seethed. "I am very disappointed that the commonwealth would subject Mr. Kingston to these proceedings only to flippantly dismiss the charges when the evidence did not come in as powerfully as you had hoped." Karen lowered her head in embarrassment as the judge continued to castigate her. "There is no excuse for wasting this court's time and more importantly devastating Mr. Kingston's life."

Craig sat on the edge of his seat and looked at Karen with sympathetic eyes as she endured the reprimand. Mike was so overwhelmed by the dismissal that he didn't pay much attention to the judge's tirade.

"The commonwealth is sorry for any inconvenience this may have caused Mr. Kingston," Karen said, sounding more sorry for the damage to her career than to Mike's life.

"Sorry?" the judge bellowed. "Sorry won't put Mr. Kingston's family or career back together!" Judge Ferguson looked sharply at Jerry. "And don't think, Mr. Fields, that just because my ire is directed at Ms. Davis this morning that I don't understand the commonwealth's attorney's role in this debacle. This case is dismissed." Her gavel crashed down upon the bench.

The crowd cheered as Judge Ferguson stomped down from the bench and into her chambers.

Karen sank into her chair and buried her flustered face in her hands. Jerry placed a reassuring arm across her shoulder, but she slapped him away angrily.

Craig, Laura, and Grace jumped out of their seats and engulfed Mike in a giant hug.

"Thanks so much for your support," Mike said. He exhaled a deep sigh of relief. "I couldn't have done it without all of your hard work and encouragement." He wrapped his arms around his friends again and flashed a huge grin.

"You can finally get on with your life again," Laura said.

"I expect to see you back at work in the morning," Grace quipped.

Karen gathered her files and tagged behind Jerry, who slashed a path through the mob to the back of the courtroom. As soon as the door flew open, the reporters surged forward and started firing questions at the prosecutors.

"Ms. Davis, Ms. Davis!"

"Why did you let the Sleepwalk Killer go?"

"Are you going back to trying rape cases?"

Karen and Jerry just lowered their heads and pushed through the tumult.

At that moment, Mike realized he would never be completely free. The media hype would eventually die down, and most of the public would forget about the case in a month or two. But to many people, he would always be known as the Sleepwalk Killer. And that thought would leave an everlasting mark on his soul.

The once-raucous courtroom grew quiet as the boisterous reporters gathered outside in the hall waiting to obtain a statement from the defense team or to shoot a photograph of the freed defendant. Craig tore a clean page from his legal pad, scrawled a note, and passed it to the bailiff. The officer stepped into the hallway and made an announcement, and the reporters dispersed.

Mike glanced around the courtroom and noticed Diane seated in the back on the left. His eyes met hers, and her face lit up. Diane was on her feet working her way to the front when Mike noticed Detective Jarek standing in the back on the right, staring at Mike with his thick arms clamped around his heaving chest. The smile drained from Mike's face, and Diane slunk back

into her seat. The two men postured for a moment until Jarek spun around and stormed out of the courtroom.

Mike was still distracted when Diane reached the front and gave him a congratulatory hug. “Don’t let that slob ruin our moment,” she whispered. “He can’t touch you now.”

“I guess you’re right.” Mike released his hold, but Diane prolonged her embrace. “I’ve got to face the reporters outside,” Mike said, and gently pushed her away, “and then I think I’m home free.”

▪

Mike took a deep breath as they neared the courthouse exit. Through the thick glass panels, he could see a pack of ravenous reporters waiting to devour him.

“Let me do the talking,” Craig said, and pushed open the heavy door.

“Mr. Kingston, Mr. Kingston!” The gang immediately whipped into a frenzy. Dozens of flashbulbs fired, bright lights from the television cameras glared, and the crowd swelled forward. Mike and his entourage filed after Craig and pushed back against the surging throng until they reached the top of the short amphitheater stairs opposite the entrance.

“Were you surprised by the dismissal?” a man yelled.

“How does it feel to get away with murder,” another hollered.

The defense team huddled together behind Craig. Mike tried to maintain his composure against the pressing mob.

“What back-room deal circumvented your indictment?” a silver-haired man near the front jeered.

Craig motioned for the crowd to quiet down, and he pushed forward to the collection of microphones.

“Justice prevailed today,” he began. “Michael Kingston did not kill his wife. And the commonwealth knew that its case, built upon misunderstandings and missteps, was insufficient to carry its burden of proof at any stage of the prosecution. But I admire the commonwealth’s attorney for stepping up and acknowledging the error in the middle of the preliminary hearing and, at great personal risk, dismissing the baseless charges against Mike.” Craig paused, and a hush fell over the crowd. “Mike Kingston is a victim of the criminal justice system that turned on him instead of protecting him. This proceeding showed that, despite the commonwealth’s best efforts, there is no evidence that Mike killed his wife consciously or unconsciously. And it would be wholly irresponsible for any news agency to publish any contrary inferences. Thank you.”

Craig ushered Mike through the insistent mob, and the three women followed close behind. The reporters took pictures, thrust their microphones at the attorneys’ faces, and shouted inflammatory comments about manipulating the preliminary hearing. The defense team finally found peace when it reached the staff parking lot.

“I’m starved. Let’s get something to eat,” Craig said when they were alone. “And maybe a drink to celebrate our great victory. My treat.”

“Sounds fantastic,” Laura said.

“Thanks, Craig,” Diane said, and Grace nodded in agreement.

“Thank *you* for all your hard work,” Craig said, and loaded the boxes and his briefcase into the narrow trunk of his BMW. “You should all be very proud of the job you did. I know a great barbecue joint down the road. Why don’t you all follow me?”

“I’m sorry,” Mike said with great difficulty, “but I’m going to have to take a rain check.”

“No!” Diane exclaimed.

The others gave Mike a look of bewilderment.

“You’re the man of the hour,” Grace said. “You’ve got to come.”

“Believe me I’m eternally grateful for all of your help, but I’ve spent enough time in public with people staring at me.”

Laura acquiesced and gave Mike a big hug. “It won’t be much of a victory celebration without you.”

Grace followed with a smothering squeeze that took Mike’s breath away.

Craig said he understood and promised to stop by the house later.

Diane reluctantly stepped forward. “Are you sure you can’t come with us?” she pleaded.

“I wish I could,” Mike said, and enveloped Diane in his arms.

“When will I see you again?” she asked and slowly released her embrace.

“Soon, I hope. Go enjoy your lunch in peace.” Mike took a deep breath and swallowed hard. Emotion filled his chest. He gazed at his friends through reddened eyes as though he might never see them again. “Thanks again for everything,” he announced, and climbed into his Lexus. The others said their parting good-byes and looked on until Mike pulled out of the parking lot.

When Mike arrived home, he immediately changed into some jeans and retrieved the luggage from the garage. He hurriedly packed what remained of Victoria’s clothes and favorite toys. Now that he was free, Mike was fixated on seeing his daughter as soon as possible.

He threw some of his own clothes together in another suitcase, packed his travel bag of toiletries, and loaded the luggage in the back of Helen’s Explorer. After moving his briefcase from the Lexus to the front seat of the SUV, Mike grabbed a few large empty boxes from the garage and marched around the house filling the cartons with family photos, home videos, Victoria’s artwork, and his most personal items. In the last box, he placed his stereo and as many compact disks as he could fit. He loaded the boxes into the back of the vehicle then packed his laptop and whatever peripherals and software would fit in his computer bag and set it on the floor in the front. Finally, Mike gathered all of their important papers, birth certificates, medical records, and financial statements from the office files and the firebox in the garage and stuffed them in with the pictures and home movies.

He went back inside to make one last sweep. On Helen’s nightstand, he found a family picture they’d taken at the beach during their last vacation the previous summer. Helen looked beautiful in her sunhat and cover-up, her long brunette hair caressing her sunburned cheeks. She was lovingly holding their giggling baby girl in a fresh pink sun suit. Even Mike had a smile on his face in the picture. And for a brief moment he relived the joy of that summer day. But his fleeting happiness quickly dissolved into the terrible emptiness he now felt. The only remedy was to see his daughter as soon as possible. He tucked the family picture under his arm and headed for the door, disregarding the impulse to gather more belongings.

Mike locked the front door and slipped out through the back into the garage without ever looking back. He wedged the beach picture into a crevice in the stereo box and reached up for the hatchback. The sound of squealing tires startled him, and he spun around just as Craig’s red BMW raced into the driveway and screeched to a stop. Craig sprang from the car, and Randy slowly emerged from the passenger’s seat with a small bandage over his left brow.

“Look who I found loitering in the park,” Craig said.

“Congratulations, Mike,” Randy said.

“You’re so good, Randy, you don’t even need to show up to win,” Mike said. “How’s your head?”

“It only hurts from missing the hearing. And don’t take anything away from Craig. He said himself that it was the trial performance of the year.”

“I had a front row seat, and I agree,” Mike said, and put his arm around his best friend.

“Where you headed, my friend?” Craig asked, pointing at the boxes and luggage hastily thrown into the back of the SUV.

“I’m on my way to pick up Victoria,” Mike said, and closed the hatchback.

“You’re not coming back,” Craig said.

Mike hesitated and scrunched his face. “No.”

“Where will you go?” Randy asked.

“Hopefully where there aren’t as many reporters and over-zealous cops.”

“I understand,” Craig said.

“I’m glad you stopped by. I was going to mail these to you.” Mike grabbed a stack of papers and some keys from his front seat and handed them to Craig. “The top document is a general power of attorney. You would be doing me a great favor to take my car, my house, and all of its contents. There should be enough value left in them, after the bail bond is released, to cover the experts’ invoices, your legal fees, and the other defense costs. Keep everything else for yourself or give it to charity or whatever. I need to make a clean start someplace else.”

Craig opened his mouth to protest but said nothing.

“We’re sorry you’re leaving,” Randy added, “but we understand it would be difficult for you to stay. Let us know if there’s anything else we can do for you.”

“You could explain what happened at the preliminary hearing,” Mike responded with a confused expression.

“Hmmm.” Randy stroked his chin. “Maybe someday. Let’s not spoil the moment.”

“Well”—Mike exhaled—“then I guess I should get on the road.”

“We won’t hold you up any longer.” Randy stepped forward and gave Mike a final hug. “I’ve worked with many fine young attorneys in the past,” Randy said, “but none greater than you. I hope to have the privilege again soon.”

“I can’t begin to tell you how grateful I am to you for all of the support you’ve given me over the years and especially during these last weeks. Thanks again for everything.”

Craig stepped forward and gave Mike a firm embrace. “We’ve been through so much together. I’m really going to miss you.”

“Me too,” Mike responded as they released. “I owe my life to you.”

“Anything for my brother,” Craig said as he slid behind the wheel.

Craig and Randy smiled as they pulled out of Mike’s driveway. After one final wave good-bye, Craig revved the BMW and laid a smoky patch of rubber down Mystic Meadow Way for Mike to remember him by.

Mike climbed into the Explorer, backed out of the driveway, closed the garage, and said good-bye to the only home Victoria had ever known.

A few miles down the road, as Mike merged onto the 66 freeway, he heard a muffled ringing coming from his briefcase. He opened the case and picked up his cell phone. Someone from BW was calling. He stared at the phone. It was his last remaining tether to the firm, to D.C., and to his old life. Without a second thought, he rolled down his window and chucked the telephone out.

Mike had made this drive to New Jersey probably fifty times over the years. The anticipation of seeing his daughter and the uncertainty of the future made the trip that day seem to take forever. So many thoughts raced through his mind. *Where can we go? What can I do for work? Where can we plant roots again without the suspicion surrounding Helen's death haunting us forever?*

He finally arrived at the Sinclairs' Mantoloking estate as dusk settled over the Jersey Shore. He took a deep breath, marched up the granite steps, and rang the bell. His heart pounded, and he paced around the porch.

Soon the heavy mahogany door eased open. "Michael!" Sharon exclaimed. "What a wonderful surprise."

Victoria skipped to the entry to see who was at the door. "Daddy!" she screamed and jumped into Mike's arms. He squeezed her so tight she could hardly breathe.

"I am so happy to see you again, sweetheart." Mike closed his eyes and savored the closeness with his precious daughter again.

"Is your trial over?" Sharon asked.

"The charges were dismissed!"

"How wonderful!" She wrapped her arms around Mike and Victoria. "I always knew you didn't do it." Sharon's expression suddenly turned sullen. "But do they have any good leads on who did kill my daughter?"

"I'm sure the investigation is still open. We need to keep the pressure on Detective Woods to find the real killer."

"Going to work?" Victoria asked.

"Oh, sweetheart, I'll never leave you again. Let's go pack your things." Mike set the toddler down, and she ran off to her bedroom squealing. Nana Sinclair raced after her.

Bob Sinclair came in from the kitchen to see who was at the door and rocked back on his heels when he saw his son-in-law. "I thought you'd be prohibited from leaving the state after the indictment," he said, "or are you on the run?"

Mike scowled and said, "The charges were dismissed."

"What slick lawyer trick accomplished that?"

Mike clenched his teeth and stomped off to Victoria's room.

"You must have powerful friends," Bob called after him.

"A lot of her clothes are in the wash," Sharon said as Mike entered the room. "Why don't you sit down and have dinner with us, and I can have her clothes all washed and packed by then."

"You know that's impossible with Bob around," Mike said. "And we have a very long drive ahead of us."

Concern swept over Sharon's face. "You're leaving Virginia?" she asked. Her hands shook as she packed the last small shirts.

"I'll try to let you know where we get settled if you promise to come alone to visit."

Sharon pulled a handkerchief from her pocket and dabbed the moisture from her eyes. She zipped up the large, green duffel bag stuffed full of clothes and toys and said, "I'll get the rest of her dirty clothes from the laundry room."

"Victoria," Mike said after Sharon left the room, "be sure to thank Nana and give her a big hug because we may not see her again for a while."

"Okay, Daddy," Victoria said, and ran off after her grandmother.

Mike hauled the bulky duffel bag outside and loaded it into the cramped Explorer. When he reentered the house, Victoria was sitting on Grandpa Sinclair's lap in the formal living room. Sharon came down the hall carrying Victoria's Scooby Doo suitcase.

"Okay, let's go, princess," Mike called from the foyer.

Victoria obediently climbed down from her grandfather's lap and ran to her dad.

Bob looked over and saw the luggage in his wife's hand then looked sharply at Mike.

"Where do you think you're taking my granddaughter?"

"She's coming with me." Mike picked up Victoria and extended a defiant arm toward Sharon for the suitcase.

"Oh no you're not." Bob intercepted his wife before she could hand off the bag then turned toward Mike with crossed arms and a puffed chest.

Victoria wrinkled her face, and her eyes darted from her dad to her grandfather.

Mike turned and marched toward the door. "Fine, we'll get her new clothes."

Bob strode forward, knifing his index finger at his son-in-law. "Your legal troubles have just begun the minute you walk out that door with my granddaughter!"

Victoria broke down sobbing and writhed in her dad's arms.

Mike spun back around and glared at his father-in-law. He pressed his daughter's weeping face into his chest and responded in a low, threatening voice. "If you *ever* try to take Victoria away again, I will *destroy* you."

Bob dropped his arms to his sides and stood speechless. Mike continued to glower at him with a menacing stare while he patted Victoria's back to calm her. Sharon trembled in horror as she stepped around her husband, pressed the suitcase into Mike's hand, and pushed him out the door.

Mike seethed as he buckled his teary-eyed daughter into her car seat and stuffed her suitcase into the rear cargo area. He started the engine and slowly pulled away as he looked through his rear-view mirror at his child's tender face.

Victoria rubbed her wet eyes with her tiny fists. "Where going, Daddy?"

"I'm not sure yet, sweetheart." Mike swallowed hard. "But we're going there together."

*Truth will come to light;*

*murder cannot be hid long.*

*The Merchant of Venice, Act II, Scene II*

## ELEVEN

The exit signs blurred through Mike's glassy eyes as he pressed down the highway. It was late in the evening, and Victoria was sleeping peacefully in her car seat. Despite her tranquility, he could tell that she'd reached her limit of riding in the SUV and living out of a suitcase. They'd been on the road nearly three weeks, wandering like nomads from city to city. Mike wasn't even

certain where he was or where he'd been as the conveyor belt of small towns that passed for the previous eighteen days looked just like the first.

Although it was getting dark, the surroundings started to seem strangely familiar to him. Mike squinted and peered around at the landscape. The huge peaks in front of him were unmistakable even in the waning sunlight. His heartbeat quickened. It had been years since he'd made this drive, but he believed he still knew the route so well he could drive it blindfolded. He took the next exit and turned left toward Plain City.

Mike rolled down his window to breathe in the country air. The cool breeze aroused Victoria from her sleep, and she began to stir and rub her eyes with her small fists.

"What stinks, Daddy?"

"Hey sweetheart," Mike answered as he rolled up the window. "It's cows."

"Where are we?"

"We're almost to Grandma Kingston's house."

"Hooray!"

Mike pulled off the main westbound road and onto a long driveway that led to a modest homestead. The place still looked remarkably the same, although overgrown trees and shrubs now blanketed the house.

"Here we are," he announced, and eased to a stop in front of the garage. He tucked Victoria under his jacket to protect her from the cool autumn air and trudged up the steps. He rapped firmly on the screen and listened as his mother plodded to the front. The porch light came on, and the door swung open.

His mother stood in the entryway in her housecoat and curlers. "Oh my heck!" she exclaimed.

Mike peered at his mother through the screen door. "Don't you ask who's at the door at night?"

"No one's going to drive all the way out here to break into this old house. You've been living in the big city too long."

"Can we come in?" Mike felt tense.

"Oh. Of course." She pushed the screen open. "I was just so surprised to see you. Come in, come in." She extended her arms to take Victoria. "You're freezing."

"Hi, Grandma."

Mike's mother snuggled Victoria to warm her up. "Are you hungry?"

"Dinner would be great," Mike said.

"What would you like to eat, Victoria?" his mother asked as she carried her granddaughter toward the kitchen.

"Cheese sandwich," the toddler answered.

"I'll be there in a moment," Mike called after them. "I want to look around for a minute."

Mike walked down the hall and stopped at his old bedroom door that still bore the indentation of his father's fist from constant pounding to turn down the music. Inside, his room was just as he'd left it many years ago. The blue hand-tied quilt his mother made twenty years ago still covered his worn-out bed. The headboard was still tagged with remnants of Hot Wheels stickers he'd tried to scrape off after he grew up.

The Shakespeare plays and other classics that consumed his youth were neatly stacked in the oak bookcase his father made. His baseball glove was on the floor next to the bookcase as if he'd just thrown it there after a Saturday afternoon at the city park.

A dusty high school graduation picture sat on his old desk. Mike was sandwiched between his parents in front of the school's marquee. As he gazed at the carefree grin on his face, Mike longed for the reckless days of his youth when his only concern was whether he had a date for the weekend and gas in the Mustang. He studied the proud smile on his dad's face and wondered if his father wouldn't have been so proud that Mike had chosen an important work commitment over the funeral. *I miss my old man.*

"Dinner's ready," his mother called from the kitchen.

Mike squeezed his eyes to prevent them from misting, switched off the light, and left his bedroom.

"I've got some leftover tuna-noodle casserole warmed up for you," his mother said as Mike walked into the kitchen. "I recall that's one of your favorites."

"Perfect, Mom." He sat at the table in his traditional seat by the kitchen window. "I haven't had a home-cooked meal in months."

She set a heaping plate of warm casserole on the table in front of Mike, then covered the remaining leftovers and returned them to the fridge. Mike took a bite and savored the familiar flavors. Victoria sat happily eating around the crust of her grilled cheese sandwich.

After an awkward moment of silently rinsing the frying pan and utensils, his mother finally spoke. "So I heard you were cleared of all the charges in Helen's death."

"The prosecution dismissed the case," Mike replied in a matter-of-fact tone of voice.

"I tried to call you, but your phone was disconnected."

"How'd you find out?" Mike took another bite.

"I called your secretary. She's very worried about you."

Mike looked down and poked at the casserole. "I wanted to call, but I've had so many things on my mind lately."

"They couldn't have had any evidence that you did it."

"I think it was politically motivated," Mike said.

"So now you can get on with your life."

"What's left of it." Mike savored the last bite of casserole. "Thanks for dinner. Your cooking is just as good as ever."

"You guys must be exhausted from driving. I'll go make up a couple of beds. I still have that old air mattress I can throw on the floor of the sewing room."

"Why don't you put Victoria in my old room, and I can sleep on the living room sofa." Mike looked over at his daughter. "Do you want to sleep in Daddy's old bed?"

Victoria nodded her head in excitement and wiped her face with her sleeve. Mike's mom rushed off to find fresh linens and towels. He cleaned up the remnants of the grilled cheese sandwich from his daughter's face, then carried her down the hall to his old room. The three of them settled onto the freshly changed bed and paged through Mike's old photo albums and laughed about stories from his youth until late into the evening.

▪

Mike awoke the next morning to the smell of bacon. The sizzling sound and aroma lured him out of bed without the usual struggle.

His mother heard him stirring, and she called out from the kitchen, "Are you coming to church this morning?"

"Please don't start on that already," Mike grumbled.

“Don’t get all huffy.” She tried to remain pleasant. “I just thought you might want to see your old friends and neighbors. Wendy Crawford should be there. Although her last name is now Johnson.”

Mike’s ears perked up. “It would be nice to see her again. What time does it start?”

“In about an hour.”

Mike enjoyed fresh bacon and eggs with Victoria, then hurried to get himself and his daughter ready for church.

Mike had attended services at the Plain City Mormon chapel for about twenty years, but he felt like a stranger now because he hadn’t gone to church in Virginia, other than the occasional Christmas and Easter services at the invitation of his bishop. And he worried what his old neighbors and friends would think of him now. The return of the Prodigal Son seemed a fitting analogy, but he doubted an accused murderer would be embraced with open arms.

They entered the chapel just as the prelude organ music ceased. Mike was stunned to spot his old friend, Dan Shaw, now sitting in the bishop’s seat. Seeing his close friend serving as the bishop compounded his guilt for abandoning his faith for so many years.

Mike insisted they sit at the back, so he wouldn’t attract attention. But as soon as Mike and his family settled into the last pew, Bishop Shaw announced, “I see that Mike Kingston and his daughter are visiting us today. Welcome, Mike.”

Every head in the congregation turned and gawked at him. Mike politely smiled, then glanced at his mother with a worried expression. She gave him a supporting look and pressed an open hymnbook into his hands.

Mike stared at the music and mouthed some of the words, but he couldn’t stop agonizing about what the church members would think or say about him. Throughout the meeting, however, as the congregation sang the well-known tunes from his youth, the speakers shared the familiar gospel principles, and he ate the sacramental bread and water, Mike began to feel he was home.

During the closing song, Mike finally noticed Wendy sitting on the far left side of the chapel. No sign of a husband. Each arm was wrapped around a handsome young son. Mike’s prolonged gaze drew a glance from Wendy. She flashed her perky white grin at him and pierced him with her penetrating, deep brown eyes. Mike felt himself drawn in, but he remembered his troubles and her marital status, and he smiled and turned away.

After the closing prayer, several of Mike’s old friends and neighbors gathered at the back of the chapel to greet him and to offer genuine sympathy for the loss of his wife. Other church members just walked past, talking among themselves and occasionally glancing in his direction.

Wendy worked her way to the back to see Mike, and his pulse quickened. Up close she looked more like a slender actress than a mother of two, even though pregnancy had left a few pounds on her hips.

“Hi, Mike.” A nervous giggle escaped Wendy’s red-lined lips. She held her arms open and leaned toward him.

“Nice to see you, Wendy,” Mike said as he embraced her lightly and looked around to see if anyone was watching.

“So, you’re visiting your mom?”

“Yeah. We got in late last night.”

“How long are you staying?”

“I’m not sure yet.” There was an uncomfortable pause while Mike searched for what to say next. “You look great.”

“Thanks, so do you.”

“Oh.” Mike glanced away. “This ordeal has taken a heavy toll.”

“I’m so sorry they put you through that, and right after your wife’s death.”

“I get the feeling that the rest of the world is not so sympathetic.”

Another long silence passed.

“Well, I hope I see you again before you leave,” Wendy said.

“Yeah, great,” Mike said.

Wendy caressed his forearm and walked away.

Mike exhaled and hung his head.

He grew anxious from the attention and was edging toward the exit when Dan rushed over to catch him.

“How ya doin’, Mike?” Bishop Shaw asked as he gave Mike a big bear hug.

“The ward is in big trouble now that you’re in charge, Dan.”

“You have no idea. But we have been taking good care of your mom since your dad died. I thought we’d see you at the funeral.”

“I really wanted to be there,” Mike explained, “but it was right in the middle of trial—a huge antitrust case I was trying with one of the firm’s senior partners, and I just couldn’t get away.”

“I’m sure you felt terrible about missing it. Do you plan to stay with us long?”

“We’ve got nowhere else to go,” Mike said in a hushed voice, “so we may stick around for a while if Mom will have us.”

“Of course she will—er at least her beautiful granddaughter.” Dan chuckled. “Hey, it’s great to see you again, Mike. I’ve got a meeting starting. I hope we can get together when we’ll have more time to talk.”

“Thanks, Dan. Say, where’s Todd McGee?”

“He still lives with his folks. You can probably find him home watching football this morning,” Dan answered with a sober expression, and raced off to his meeting.

Mike turned back to Victoria, who was showing off for his mom’s friends. His mother said she understood Mike’s discomfort and didn’t insist that they attend the other church meetings that day. Mike retrieved his daughter and said good-bye to her grateful audience. Despite the anxiety of facing his old friends and neighbors under the circumstances, Mike left the building feeling much better than when he arrived.

When they got back home, Mike changed into his jeans and a warm jacket and asked his mom if she could watch Victoria while he took a walk. She was delighted and led the toddler off to the kitchen to start making lunch as Mike headed out the door.

The cool fall air filled Mike’s lungs and refreshed his tired body as he walked down the familiar roads of his hometown. After working in a stuffy office building for so many years, he had forgotten the luxury of breathing fresh, not recirculated, country air. The cold helped him clear his mind, so he could begin thinking about where to go from here. After a few blocks, he found himself standing in front of the “scene of the crime” from his youth.

Mike walked up the dusty sidewalk of the orange brick house and rapped on the torn screen door. In the background he could hear the faint sound of a football game playing on the TV.

“Hang on,” an anxious voice called from inside.

Mike checked his watch. A moment later he heard the sound of a referee’s whistle, then a groan from the crowd.

“You suck!” the voice inside shouted.

Mike then heard heavy footsteps, thundering like an elephant to the front of the house. The door swung open, and Todd McGee stood wide-eyed and grinning in gray sweatpants and a ragged T-shirt. He'd added a few pounds to his already stocky frame since Mike saw him last.

"Kingston!"

"Skeeter!" Mike was excited to see a friendly, nonjudgmental face, even if it was stubby and smeared with tomato sauce.

Todd burst through the screen door, grabbed Mike around the waist, and lifted him off the ground. "Dude! What's goin' on?"

"I'm in town visiting my mom," Mike answered when he had his feet back on the ground.

"It's so great to see you again, buddy." Todd smacked Mike firmly on the back. "Hey, the Skins are leading the Pats by a touchdown with five minutes left in the second quarter. Come check it out."

"Okay," Mike said. With the chaos in his life subsiding, he discovered he missed simple things like football.

"I heard about your wife," Todd said, and hastily led Mike to the back of the house. "That sucks, dude, how they tried to frame you for her death."

"I'm just glad it's over now." Mike collapsed onto the well-worn living room couch that still had the broken seat from Todd's jumping on it during the NBA Championship when they were thirteen years old.

"First down." Todd pumped his fist in the air.

"Is Washington still leading their division?" Mike asked.

"They're one game behind the Giants. Have a Coke."

Mike caught the cold soda Todd flipped through the air to him. "Do people still call you 'Skeeter'?"

"Just my dad," Todd answered.

"I'll never forget when you got that nickname from eating three dead mosquitoes?"

"On a dare from Cindy Bentley." Todd flashed a broad grin, and they chuckled together.

"You worried for weeks that you were going to get malaria!" Mike exclaimed.

"They were so nasty dude. I was sure one of them'd sucked blood from Principal Cole."

The crowd on the television roared, and they quickly turned back to the game. "Go! Go! Go!" they chanted in unison. "Touchdown!" They jumped out of their seats, shouted in celebration, and high-fived.

During halftime, Todd reheated some stale pepperoni pizza from the fridge. They watched the rest of the game, talked football, and relived the good old days. On every Washington score they slapped hands and jumped around the room making guttural noises. When the play clock expired, the Skins had won a blowout.

Mike took a deep breath and let it out slowly. "It feels so good to just relax. Hey, I saw Wendy Johnson at church today."

Todd's ears perked up. "Dude, she's still hot isn't she?"

"Gorgeous—but *married*."

"Not anymore. They split about three years ago."

"No way!" Mike's face lit up. "What happened?"

"You knew she married Mitch Johnson after his freshman season playing football for Purdue. Well, he dropped out after the next season, and they moved back to Plain City. He says it was because of injury, but the gossip is that he just needed to be close to his mother."

"Mitch Johnson is a momma's boy?" Mike covered his mouth and snickered.

“Wendy couldn’t compete,” Todd howled. “She kicked Mitch out, and now he lives in his parents’ basement.”

“No way!” Mike roared with laughter then abruptly stopped. “Wait a minute. *You* live in your parents’ basement.”

“Yeah, but that’s because I’m a bum—not a momma’s boy. Besides, you live with your momma now too.”

“Oh crap.” Mike chuckled at the irony. He patted his belly, which had started to gurgle from the spiced meat and soda, and noticed the time. “I’d better get outta here.”

After they raved one last time about how great the game was and exchanged promises to get together again soon, Mike zipped his jacket and headed back into the street.

▪

Mike arrived back home just after 2:00 p.m. His mother was in the kitchen washing dishes. She turned and acknowledged his return with a quiet nod.

“Where’s Victoria?” Mike asked.

“Taking a nap.”

“Oh”—Mike hesitated—“okay.”

“You were gone so long, and I didn’t know where you were or what her schedule was,” she began to sound defensive, “so I—”

“I stopped by to see Todd,” Mike said.

“I saved some lunch for you.” His mother held out a foil-covered plate.

Mike held his hand up to refuse the dish. “Thanks, but I had pizza at Todd’s house.”

She set the plate down hard on the counter. “Well, if you’d called to tell me where—”

“Geez, Mom,” Mike said, “I feel like I’m in junior high again with you trying to control where I am all the time.”

“Well, I just need to know where you are. What if Victoria had an emergency? I wouldn’t know how to get ahold of you.”

“Fine! I won’t make you watch Victoria anymore.”

“That’s ridiculous, Michael.”

“I don’t want to be a burden on you.” Mike swallowed hard. “But I’m almost out of money, and we have nowhere else to go.”

“This is your home,” his mother said in a sympathetic, reassuring tone. “You can stay as long as you like.”

Mike closed his eyes and hung his head. As bad as life had been for him lately, staying with his estranged mother would be an improvement, especially for Victoria. “I’ll try to figure things out as soon as I can.”

## TWELVE

Karen switched on her office light, dropped her purse on the desk, and flung her overcoat onto the coat rack. A short-sleeve top and mid-calf skirt showed off her freshly tanned skin. She reached for her computer power switch, and Jerry Fields appeared in the doorway.

“How was your vacation, Davis?” he asked.

“You mean my compelled leave of absence?” Karen brushed back her sun-bleached hair. “Florida is beautiful this time of year.” She made no effort to hide her bitterness.

“You should be glad you weren’t here to weather the storm,” Jerry said.

“I’m sure the press made me sound like the prosecutor of the year.”

“You’re young,” Jerry remarked. “No one will remember the Kingston case in a few months.”

“Why didn’t we discuss the strength of my case”—Karen lashed out—“before you humiliated me?”

Jerry slammed his files on her desk. “Why didn’t you tell me about your fight with Mrs. Kingston at the legal clinic?”

“So that’s why you let Mike walk, because I didn’t disclose a small conflict.” Karen flopped in her seat, crossed her legs, and gripped the arms of her chair.

“The director of the legal clinic told me you two almost came to blows,” Jerry lectured down to her. “Did you test your own hair?”

Karen huffed and sneered at her boss. “So that’s the way you played this out in the press?”

“No one else knows about the legal clinic. Detective Jarek took the fall.”

“He’s an easy target.” Karen composed herself. “So where do we go from here?”

“Use your head next time. Imagine what would’ve happened if you’d gotten a conviction that was later overturned because Kingston showed you had a vendetta against his wife.”

Karen bowed her head and pressed her steepled hands against her chin.

“You’re a damned good prosecutor,” Jerry said. “That’s why I gave you the Kingston case. Now don’t let me down on this one.” He slid her a thick case file labeled “Isaacson – Robbery/Felony Murder.”

A dimpled smile returned to Karen’s face.

Jerry grinned and nodded his head. “We’ll work back up to murder one.”

▪

After weeks out on the road, drawing suspicious looks everywhere he went, Mike was relieved to finally stay in one place for longer than a day and enjoy some respite from infamy. For Victoria’s sake, he put aside his differences with his mother and tried hard to settle into his boyhood home. Grandma Kingston seemed thrilled to have her home filled with the sounds of family again.

Living in the old neighborhood reminded Mike of a carefree time long ago. He frequently regaled Victoria with stories of his youth as they familiarized themselves with the changed community. They visited the parks and swimming holes where Mike had played. He drove Victoria over to see Plain City Elementary, where her daddy went to school and where her grandma now taught fourth grade. Mike believed that, with time, living back home would help him to straighten out his head, if he and his mother didn’t kill each other first.

After about a week of sleeping on the sofa, Mike bought a cheap bed frame and mattress and started sleeping in the basement. Victoria continued to sleep in his old room and soon buried her father’s old sports equipment with her dolls and stuffed animals.

With winter rapidly approaching, Mike knew he would freeze in the unfinished basement, which his parents had always used for storage. Todd convinced Mike that they could finish the basement themselves because Todd had done drywall work with his dad during the summers in high school. Mike and Todd then spent the next three weeks framing in the basement and

hanging drywall. They built two bedrooms, a full bathroom, a spacious family room, and a large storage room. Victoria assisted by fetching tools when she wasn't busy wrestling with "Uncle Todd." Todd's dad helped them run heat ducts and install the plumbing and electrical fixtures. He said he didn't trust the boys to work alone and not electrocute themselves or burn down the house.

Mike and Todd took breaks Sunday afternoons for their football-and-pizza ritual while Grandma took Victoria to church. They excused their absence from Sabbath observance by the "physical demands" of the basement construction.

▪

One afternoon, Mike was searching for drywall screws at the hardware store when he noticed Mitch Johnson, Wendy's ex-husband, picking up roofing nails. The former athlete's gut now hung over his belt. They both postured as if they didn't recognize the other.

Mike finally broke the awkward silence. "Mitch Johnson, right?"

"Yep," Mitch grunted, and squinted at Mike.

Mike found the screws and grabbed a box from the shelf. "Take it easy," he said, then turned to leave.

"Kingston, weren't you that big-shot Washington, D.C., attorney—"

Mike looked back. "Yeah, I'm an attorney."

"—and you were on trial for murdering your wife?"

Mike flipped his head back around again and stomped away.

"Didn't they have a nickname for you?" Mitch called after him. "Oh yeah, the 'Sleepwalk Killer.' Ha, ha!"

Mike ignored the cackling and kept walking. He didn't really care what the Neanderthal thought, but he was disturbed that the rumors had reemerged just when he'd begun to feel safe again.

▪

They finished the basement in just over five weeks. Victoria was very excited to have a room of her very own again. They furnished her room with some cute children's furniture they found at the thrift store, and Grandma hung lace curtains around the small windows and stenciled colorful borders on the walls.

Now that they were settled in and expected to stay for a while, Mike's attention turned to finding a job. Practicing law wasn't an option. He wasn't a member of the Utah Bar, and, more importantly, he wanted to be a real father and not get trapped into working sixty-hour weeks again. He personally visited every law office in the county to inquire about working as a paralegal or clerk. But evidently no firms in that small legal community wanted to employ the acquitted Sleepwalk Killer and risk losing clients.

He checked the want ads in the local papers, submitted hundreds of applications for every type of job, and attended dozens of interviews, but he came up empty. His mother agreed to watch Victoria, after she finished teaching each day, so Mike could expand his job search to swing shift, with the added benefit of keeping his daughter out of daycare. Even with many companies hiring extra seasonal help for Christmas, the answer was always a polite no or

“You’re just not right for the position.” His mom divulged that the local press had followed his prosecution closely, and Mike had no doubt that his hometown still presumed him guilty.

Mike’s funds were almost completely exhausted. His mother was already paying most of his living expenses, and the tension between them escalated every day he remained unemployed. And with Christmas just a few weeks away, Mike worried that he wouldn’t be able to provide much of a Christmas for Victoria unless he found a source of income soon. He knew the ward purchased Christmas gifts for needy children, but he couldn’t bear to have anyone in the community know he was destitute.

Late one evening, Mike was washing the supper dishes, and his mother reluctantly pulled a green flyer from her schoolbag. “The principal posted a notice at school,” she began. “I hesitate to even mention it.”

“What is it, Mom?” Mike snapped back.

“If you’re going to be testy, I don’t even want to talk about it.”

“I know you’re tired of carrying us, but I’ve applied for every job I can think of.”

“Well, you’ve been without work for months. I would think you’d take anything you can get at this point.”

Mike felt cornered. “This isn’t really about finding a job, is it? It’s about Dad’s funeral!”

“This has nothing to do with—”

“Are you ever going to understand that I was second-chairing a major trial and would’ve seriously disrupted my career if I’d left Abe to finish trying the case alone?”

“I respect your decision, but it’s not what I would’ve done.”

“If you respect my decision,” Mike said, “why do you keep bringing it up?”

“Stop yelling at me, Michael!” she said. “I didn’t bring it up.”

“You tried to make me feel guilty at Helen’s funeral. You said, ‘Good family members are always there for each other.’”

“I never said that or at least didn’t mean that. And what about you,” his mother said, “always making me feel like I’m not smart enough or high society enough for you.” She started to cry and grabbed a tissue from the box on the counter. “It’s like you’re embarrassed to be seen with me.”

Mike dropped his head. He’d been through so much emotional turmoil lately, and his mother was the only family he had left besides Victoria. He swallowed hard and began again. “I’m sorry, Mom.” He meant it. “I don’t know what I said or did to give you that impression.”

“You always talk about your wealthy Washington friends” his mother continued, “and how unsophisticated the people of Plain City are.”

“Mom, you are one of the smartest people I’ve ever known, and I love the people in the neighborhood. I guess I just got caught up in my success in Washington. All along, I thought you weren’t talking to me because I missed Dad’s funeral, but you were just reacting to my stupid pride.”

His mother dabbed her cheeks with the moist tissue. “You mean, we haven’t been speaking to each other for five years because of a misunderstanding?”

Tears streamed freely down both their faces. They held each other tight, and she wetted Mike’s shoulder with her watery eyes.

“I love you, Mom.”

“I love you too, Michael.”

They released their embrace, and she looked up at her son. “Are you home?”

“If you’ll have me.”

His mother smiled, and Mike knew that everything was going to be all right.

“So what’s this note from the principal?” Mike asked.

“Mr. Willy fell and bruised his hip.”

“Mr. Willy? He used to be the janitor when I was in elementary school.”

“He still is.”

“Wow! I’m sorry to hear about his hip. Is he going to be okay?”

“He’ll be incapacitated for a few weeks.” His mother sounded tentative.

“They need someone to fill in for him, don’t they?”

“Just until he’s on his feet again. I told the principal I’d see if you were interested, but please don’t feel any pressure.”

“Aren’t you glad you sent me to law school so I could clean floors?” Mike sighed in resignation. “I’d be able to stay home with Victoria during the day and work in the evening, right?”

“He’d probably let you work anytime you want,” she said.

“Besides, how much mess can a few hundred kids make?” Mike snickered. “When do I start?”

“Probably tomorrow if you’re willing.”

“All right.” Mike sighed. “At this point I’m willing to do just about anything.”

▪

The principal was thumbing through some files at his secretary’s desk when Mike entered the school the next afternoon. The gray-haired man gave Mike a firm handshake then eased onto the edge of the desk and loosened his tie. Mike sensed that there would be no formal interview. The headmaster just explained the job responsibilities and the pay, Mike accepted the position, and the principal led a tour of the building.

Mike was still familiar with the school after twenty years, and he recalled many of his favorite teachers and stupid pranks as they toured the classrooms, library, and cafeteria. Last, the principal showed Mike the custodial closet and job list, handed him the keys to the school, and invited him to go to work.

The first item on the list read, “Sweep floors.” Mike grabbed a large dust mop and began to push it up and down the tiled hallways.

A loud crackle of static blared over the intercom and startled Mike. He turned to investigate, and the principal emerged from the office just as an old Led Zeppelin song started to play over the loudspeakers.

“I thought you might appreciate some music,” the man yelled over the song.

“Fantastic!” Mike hollered back.

“See you tomorrow.”

Mike waved good-night then continued pushing the dust mop down the hall to the beat of Jimmy Page’s guitar. Music was the one escape he could rely on even at his lowest moments. Although the work was strenuous for a guy accustomed to office work, the time passed quickly until he got to the last item he’d put off all night—cleaning the toilets. Without further delay, he grabbed a bucket, a brush, disposable latex gloves, and detergent, and trudged off to the boy’s bathroom. *What a flop*, he thought, *to go from billing \$400 an hour as a Washington attorney to cleaning toilets in Plain City.*

▪

In the morning, Mike was too sore and tired to play with Victoria. They sat around all day instead, watching cartoons and eating Cherrios out of the box.

The principal was already playing music over the intercom when Mike arrived at the school that afternoon, so he went directly to the janitor's closet and grabbed the dust mop. His muscles ached, and his "lawyer hands" had developed a few small blisters, so he brought some leather work gloves to wear that day. Mike took the dust mop and started again to push it up and down the halls.

Bachman Turner Overdrive started to play, and Mike strummed the mop like an electric guitar to the gritty riffs of "Takin' Care of Business." He burst into Mrs. Johnson's second-grade classroom, and a startled woman from the back let out a piercing scream. Mike jumped and sent the mop flying. It smacked the garbage can and scattered its contents all over the floor.

"Oh, it's you, Mike." The woman sounded relieved.

"Wendy!" Mike exclaimed, and looked away in shame. "What're you doing here?"

"This is my classroom," Wendy said.

"I didn't realize you taught school," Mike said. He hid his face as he bent down to gather the trash.

"I've been working here for two years. Didn't your mother tell you we taught together?" Wendy stooped down to help Mike collect the strewn papers.

"She never mentioned it."

"You must be filling in for Mr. Willy."

Mike dropped his head and gave a nervous laugh. "Just putting my law degree to good use."

"I think it's wonderful," Wendy said, putting a smile back on Mike's face.

"What are you doing here so late?" Mike asked. "I thought I was alone with my air guitar."

"I'm hanging Christmas decorations. I like to work late in the afternoons sometimes when I can be alone and turn on some music."

"Music always helps me work too. Hey, Todd told me about a club in Salt Lake with some great cover bands on the weekends." Mike hesitated. "Would you like to go with us sometime?"

"That'd be great," Wendy said. "I haven't heard live music in years. Mitch never took me anywhere." She looked away and remarked, "See, you're not the only one with an embarrassing past."

They chuckled together, and Mike found warmth and acceptance in Wendy's smile.

As their laughter subsided, they heard the next song playing on the radio—"Lady" by Styx—and froze.

All the feelings from Mike's junior high crush came rushing back. His heart pounded, and his head reeled. He turned and looked at Wendy with a wide grin, and the smile on her face showed, incredibly, she remembered their dance twenty years ago.

"That song was playing the first time we danced in eighth grade," Wendy said.

"I can't believe you remembered," Mike responded, and they sang the chorus together with Dennis DeYoung and cringed at their off-key warbling.

"Terrible!" Wendy exclaimed, and they both laughed.

"That dance had such a profound effect on me," Mike confessed. He stared deeply into Wendy's dark brown eyes and wanted desperately to relive their first-love moment. Wendy's starry-eyed gaze hinted she still had feelings for him. But the pain of losing Helen was too fresh to chase boyhood infatuations.

“What a great memory.” Wendy sighed.

Mike leaned forward and spoke in a low secretive voice. “I’d love to share another slow dance with you”—he opened his eyes wide and searched the room with a melodramatic expression—“but I’m afraid the principal might catch us.”

Wendy giggled.

“Quick,” Mike said, “let’s get back to work before somebody sees us.”

“Wanna help me decorate?” Wendy asked, and held up a tangled evergreen garland.

“I’d love to,” Mike said.

As they decorated Wendy’s classroom, they talked and laughed about the good old times—before Wendy started dating the jocks in high school—and recounted the joys and the pains they’d both experienced since graduation. They conspicuously avoided discussing Helen’s death and the murder prosecution. When they were finished, they had transformed Wendy’s classroom into a winter wonderland, including, against Mike’s legal advice, a large mural of Santa Claus.

Wendy thanked Mike for his help, and he accompanied her to the exit. They exchanged a warm embrace, and Mike studied her silhouette as she disappeared into the darkness.

Energized by the encounter with his boyhood crush, Mike cruised through the tasks on his list. That evening he caught a small glimpse of normal life, and it filled him with hope.

▪

“Daddy! Daddy! Snow! Let’s play.”

“Okay, honey.” Mike, still half asleep, leaned up on his elbow and rubbed his eyes.

“Mike,” his mother called down from the top of the stairs. “There’s a letter on the counter for you. See you after school.”

Mike shot out of bed. “What could that be?” He grabbed Victoria and rushed upstairs.

An embossed Baker Williams envelope sat on the kitchen counter. *Craig must have guessed I’d end up at home someday*, Mike thought. He opened the envelope and pulled out a check written on Craig’s personal account. Mike stared in disbelief at the amount—\$42,000 and some change. Clipped to it was a handwritten note that read:

Hey Bro,

Thought you could use some extra cash for Christmas. This is what was left over from selling your house and stuff and paying off your creditors. (Yes, including legal expenses.) We all miss you.

Craig.

“Build snowman now?” Victoria asked.

Mike lifted his daughter high into the air. “We can build a hundred snowmen!”

“Hooray!” Victoria squealed with delight.

“But first, we need to get you a new snowsuit.”

They found the nearest department store in Ogden and replenished their winter wardrobes. And with Mike’s cash-flow problems solved, they also replaced many of the clothes they’d left behind.

As soon as they got home, they put on their new snow gear and went to work packing and rolling the moist snow. Victoria delighted in throwing snow at her father and rolling around on the cold ground making snow angels.

Mike's mother returned home after school and found him and Victoria snuggling under a blanket and drinking hot chocolate. "That's a beautiful sculpture you made in the front yard," she said.

"Grandma, we made snowman."

His mother looked at the snow gear on the floor. "Where'd you find the snow clothes?"

"We bought them," Mike responded.

"Aren't you getting a little carried away on a janitor's salary?"

"Work!" Mike jumped up and looked at his watch. He hesitated for a moment, since he didn't need the money now, but he knew he needed to keep his word to the principal. He quickly mentioned the check to his mother and headed out the door.

No music was playing when he entered the school. He rushed to Wendy's classroom but found it dark and empty. Even though he was alone, Mike harnessed the energy he'd gained from playing with his daughter and from resolving his cash-flow problems and finished cleaning the school in record time.

▪

A heavy snowstorm hit Plain City late Friday night, blanketing the community with eight inches of fresh snow. But with Christmas less than a week away, the snow couldn't keep Mike away from the mall while his mother and Victoria slept.

Mike went straight back to the department store and chose several cute new outfits for his daughter. He also bought a variety of dolls, toys, books, and DVDs, all courtesy gift-wrapped.

Mike puzzled about what to do for his mother. To her the holiday was all about the birth of Christ, and presents reminded her that the meaning of Christmas had been eroded by commercialism. Nevertheless, he believed she would be thrilled with a new home theater system for her waning vision.

Before anyone awoke, Mike stealthily hid his presents under a blanket in the back of the garage where he was sure his mother wouldn't look.

Mike took a quiet moment, while his mom and Victoria still slept, to reflect on how grateful he was that his life was turning around. A few short months ago, he'd descended just about as far as a man could fall. After a steep climb, with a big boost from Craig and his mother, Mike finally felt some hope for the future again. Yet he doubted he'd ever look back on his ordeal, as the church members in his mother's ward were wont to do, and consider the adversity a *blessing because it had made him a stronger person*. In particular, he believed that nothing could fill the emptiness in his soul from the loss of Helen. But restoring some friendships would be a start.

Craig answered Mike's call on the first ring. "I've missed you, brother," he said.

"Sorry, my friend," Mike said, "for waiting so long to check in—until we were back on our feet."

"I'm stoked to hear things are looking up, after all you've been through."

"I don't even have the words to express how much I appreciate your check."

"Say no more," Craig said. "Just knowing you and Victoria are okay is thanks enough. Besides, it came from the sale of your stuff. There would've been more, but I almost had to give your house away because of the stigma."

"Am I still headline news?" Mike asked.

"Nah. The hype lasted only a few weeks. The outrage was about evenly split toward you for walking and the county for its corruption and incompetence."

“Do the detectives have any more leads on who murdered Helen?”

“Detective Woods sounded very frustrated the last time I spoke with him a few weeks ago. He and Detective Jarek got most of the blame for the botched investigation.”

“Is that why Fields dismissed the case?” Mike asked. “Randy knows something that he’s not telling us.”

“Randy’s been very tight-lipped,” Craig answered.

“Do you think he leaked that stuff about Karen Davis fighting with Helen at the clinic?” Mike asked.

“No way Randy would do something like that without telling us,” Craig said.

“I know,” Mike agreed. “I’m just mystified—pleasantly mystified—by the dismissal.”

After chatting for a few minutes about the firm, Craig’s latest girlfriend, and Mike’s reception back home, Victoria climbed onto her father’s lap. Mike put the phone up to her ear.

“Hi, Uncle Craig,” she said with a toothy grin. She listened intently for a moment then looked at her father and said, “Shut up . . . loser.”

Mike chuckled. “All right, that’s enough. Say good-bye to Uncle Craig.”

Victoria said, “Bye-bye,” surrendered the phone, and snuggled into her daddy’s arms.

▪

Mike arose early Sunday morning, the last Sabbath day before Christmas. He was genuinely looking forward to attending Christmas services with Victoria and his mother and to seeing Wendy again.

Mike and his family arrived a few minutes early this time at his mother’s insistence because the holiday services usually attracted a larger crowd. Mike felt much more comfortable in the chapel this time. As soon as the first Christmas hymn started to play, he knew he was where he belonged.

Bishop Shaw wished everyone a Merry Christmas and announced that the church would be having its annual Christmas Eve hayride at the Guzman farm. Mike glanced again at Wendy in her usual seat, and they exchanged a smile. Mike made a mental note to visit the Guzmans on Christmas Eve.

Mike really listened this time to the beautiful songs and messages about Christ and family. He was sobered as he recognized how he’d disregarded his family for so many years, focusing so much on wealth and status. But as he thought about the changes he was making in his life, a familiar peace enveloped him, and for the first time in years he felt truly and completely happy. He lowered his head, closed his eyes, and offered a silent prayer of gratitude for his renewed hope. He then lifted Victoria onto his lap and squeezed her tight.

▪

The school was closed for the holidays starting that Monday, and Mike was pleased to have extra time to spend with his daughter. This was the first Christmas that Victoria was actually old enough to understand, so anticipating Santa Claus made the time pass very slowly for both of them.

Christmas Eve finally came, and Mike and Victoria arrived at the Guzmans’ early in the evening for the hayride. Many of the church members were already gathered in the farmhouse,

sipping hot cocoa and nibbling baked goods. They greeted Mike and his daughter by name and made them feel at home. Victoria went to work carefully selecting sweets to fill her napkin.

Bishop Shaw came up behind Mike and placed a firm hand on his shoulder. “Mike,” he said with a huge grin. “It’s great that you could make it tonight.”

“Happy Christmas, Dan,” Mike replied. “You know some of my best memories as a kid were from the church hayride.”

“You haven’t packed a cooler full of snowballs to throw at pedestrians have you?”

“Oooh!” Mike chuckled. “Remember when I hit old man Reeves in the back, and he pulled me and Todd right off the trailer and washed our faces in the snow.”

“The members still laugh about that!” The bishop roared. “Hey, I heard Wendy Johnson out by the trailer asking if anyone had seen you.”

Mike’s face lit up.

“Are you two going out?” Dan asked.

“Nah”—Mike tried to act nonchalant—“just proverbial old friends. I’ll see you later.” Mike pulled Victoria and her chocolate-covered fingers away from a plate of fudge, took a wad of napkins, and hustled outside. He saw Wendy standing next to the trailer talking with Brother Guzman as he hooked up the horses. Wendy noticed Mike and smiled. His heart beat faster and his hands began to sweat.

Mike wiped Victoria’s fingers and stuffed the soiled napkins in his pocket as they neared Wendy. “Happy Christmas,” he called to her.

“Merry Christmas,” Wendy said as they arrived. “You must be Victoria,” she said, and gathered the child into her arms. “Your father’s told me so much about you.”

Victoria smiled.

“Are you excited for Santa to come?” Wendy asked.

“He’ll put candy in my socks.”

“That’s wonderful.” Wendy grinned.

Mike smiled proudly. “Who’s got your boys tonight?” He raised his voice to be heard over the noise from a fast-approaching snowmobile.

“With their grandparents!”

“I would’ve liked them to meet Victoria!” Mike shouted as two snowmobiles flew around the farmhouse.

“What?” Wendy’s voice was barely audible.

A blue Arctic Cat fishtailed right in front of Wendy and Mike then stopped abruptly. Wendy and Mike kicked dirty slush from the tops of their boots and scowled as the rider removed his helmet.

“Mitch, you’re such a jerk!” Wendy hollered. “Lord help me if your boys turn out the same as you.”

Mitch shut off his engine, and a yellow Polaris sled pulled up beside him and stalled.

“Hey look, Steve,” Mitch cackled. “It’s the Sleepwalk Killer.”

The men erupted in laughter.

Mike’s body tensed. “Beat it, Mitch,” he warned.

“Stay away from him, Wendy”—Mitch continued to mock—“or he might strangle you in his sleep.”

“Good one, Mitch,” Steve said.

“Leave now, or you won’t see your boys on Christmas,” Wendy said.

“See if I care if you date a murderer. Come on, Steve.” Mitch gunned his snowmobile and sped away through the Guzman’s field with his sidekick close behind.

Wendy tried to regain her composure. “Don’t worry about what that moron says, Mike.”

“It’s obvious why you two grew apart because he’s matured so much since high school.” Mike presented a cool front, but inside he was smoldering.

“It looks like everyone is gathering for the hayride,” Wendy said. “Let me run inside and get some hot chocolate to warm my fingers.” She passed Victoria back to Mike and walked toward the farmhouse.

“I’ll save us a bale,” Mike called after her.

“Who those mean men, Daddy?” Victoria scowled.

“No one important, sweetheart.”

“Why the fat guy call you ‘Sleepwalker’?”

“Even some grownups still call people names.”

Bishop Shaw hollered to get the crowd’s attention for an opening prayer. After the prayer, Mike looked around for Wendy. The trailer seats were rapidly filling. He lifted Victoria onto a hay bale then climbed onto the flatbed for a better view. Finally, Wendy emerged from the farmhouse with hot cocoa and a bewildered look on her face. She put her head down and ambled across the frozen ground. As she neared the trailer, she looked at Mike with a hurt expression.

“What’s wrong?” Mike asked.

“Huh?” Wendy seemed distracted. “Oh, something’s come up. I can’t stay.”

Mike looked back at the house for a clue to explain her changed mood and saw the curtains in the front window ripple. “Did Mitch come back and harass you again?”

“No, um, everything’s fine. I’ll talk to you later,” she said, and walked away.

Mike let Wendy go without further inquiry, tried to forget about her odd behavior, and turned his attention back to Victoria and the hayride.

As the horse-drawn wagon plodded steadily over the icy country roads, the church members sang familiar Christmas carols to warm the wintry evening. Victoria had the time of her life singing and laughing with the other kids and speculating what Santa would bring that night.

▪

“Daddy! Daddy! Daddy!” Victoria burst into Mike’s room early the next morning. “It’s Christmas!” She jumped onto his chest and pulled his covers down.

Mike groaned and rubbed his eyes. “What time is it?”

“Christmas time!” She grabbed his lips and began tugging at him. “Get up.”

“Okay, okay.” Mike chuckled. “Run and wake up Grandma.”

Victoria rushed up the stairs, calling, “Grandma! Grandma!”

Mike grabbed his robe and raced after her.

They all arrived at the Christmas tree at the same time. Victoria was squealing and jumping up and down. “Santa came! Daddy, Santa came!”

“I know. Isn’t it wonderful?” Mike said.

“Where did all these packages come from?” His mother blinked her eyes.

“Santa brought candy in my sock.” Victoria tipped her Christmas stocking upside down and poured the sweets onto the floor.

“Yes, honey. Why don’t you open some of your presents?” Mike motioned toward a big pile of gifts.

Victoria shredded wrapping while Mike and his mother sat back and delighted in her childlike wonder and excitement. When Victoria opened the large package at the bottom of the stack, her eyes grew wide, and she stood in awe.

“What’ve you got there?” Grandma asked.

“A big dolly!” Victoria screamed and began to rip the box open.

“This is a special doll that can talk and play with you.”

Victoria jumped up and down and clapped her hands. “Want to play.”

Mike pulled the doll from the box, installed some batteries, and turned on the power switch.

“Hi, my name is Cindy.” The doll moved its mouth and arms as it spoke.

Mike was startled and remembered the Samurobot that had started all his nightmares. He thoroughly examined every moving part on the doll, tested every function the toy could perform, and scanned all of the safety warnings in the instruction manual.

“Daddy.” Victoria interrupted after several minutes. “Can I play with dolly now?”

Mike relinquished the toy. “Have fun.”

Victoria snatched the doll into her arms, ran over to the couch, and within moments was singing “Twinkle, Twinkle Little Star” with Cindy.

Mike then scooted the biggest package under the tree over to his mother.

She was stunned. “I thought this was for Victoria.”

“It’s for you. Open it.”

“My word, what could it be?” She lifted a taped edge and soon exposed enough of the contents to reveal a new thirty-six inch television set. “Oh my heck!” She threw her arms in the air. “Michael! You shouldn’t have done that.”

“Do you like it?” Mike asked with a proud grin.

“I’m thrilled, but you know I don’t need any presents.”

“Wait, there’s more.” Mike handed her another hefty package.

“What is it?” His mother giggled like a child and ripped off the paper. “Oh my heck! A new video player? Michael!”

“It’s a Blu-ray player.”

“Wow! You’re going to have to teach me how to use this high-tech equipment.”

“It’ll be a cinch once you get the hang of it.”

“Thank you, Son,” she said with moisture welling up in her eyes.

Mike gave his mom a big hug. “Happy Christmas.”

“I love you, Michael.”

Mike kissed his mother’s tear-stained cheek and whispered, “I love you too, Mom.”

Victoria set her new doll down, wrapped her tiny arms around their legs, and looked up beaming. “Thank you for Santa.”

## THIRTEEN

Mike pushed back from the dinner table and patted his satisfied belly. “Thanks, Mom. I’d forgotten how much I love your Christmas dinner.” He picked up his plate to help his mom clear the dishes while Victoria remained at the table gnawing on a turkey leg.

“I forgot how much work it is because I haven’t cooked a full Christmas dinner for years.” His mother took the turkey platter into the kitchen and began stripping the meat from the bones.

The doorbell rang.

"I'll get it," Mike said. "Who comes to visit on Christmas night?"

"Some of my neighbors can be a little late delivering Christmas cookies."

Mike wove his way through the maze of presents, threw open the door, and blinked several times, believing he was seeing an illusion. "Diane?" The lovely blue-eyed receptionist stood on the doorstep. Her broad, white smile sparkled across the cold black backdrop like a star.

"Are you going to invite me in?" The foggy air from her moist breath gave her a spectral countenance.

"Oh how stupid!" Mike nervously pushed the screen door open and glanced around outside. "What in the world," he raved, and closed the door behind her. "How long are you in town? Let me take your coat."

Diane grinned and removed her jacket. "How about a hug for an old friend?" She leaned forward, wrapped her arms around his waist, and nestled her head into his chest.

"Who is it, Mike?" his mother called out as she entered the living room drying her hands with a dish towel.

"Oh, Mom"—Mike steered Diane toward his mother—"this is Diane Stratton from my old firm."

"It's very nice to meet you, Mrs. Kingston," Diane said.

"Please call me Edna."

"Daddy," Victoria called from the kitchen.

"Have you met Victoria?" Mike asked and led Diane to the kitchen.

The toddler tightened her grip on the turkey bone in her small fist.

Diane stepped forward, bent down, and grinned at the messy-faced girl. "You're just adorable," she said.

Victoria looked at the new face, poked out her bottom lip, and reached for her father.

"What's the matter, sweetheart?" Mike grabbed a napkin and started to wipe off her greasy hands. "I think she's a bit overwhelmed by this entire day."

"Let me get her ready for bed," his mother interjected, "while you two become reacquainted." She picked up her granddaughter and carried her toward the basement stairs.

"I'm blown away, Diane. What brings you to Plain City on Christmas?" Mike asked as he cleared some room on the sofa.

"I was in town skiing with some friends and assumed you'd be home on Christmas."

"How is my BW family?"

Diane pouted. "The firm's just not the same since you left."

They talked for hours about all that had happened in the last few months with each other and with the firm. Diane said that no one around the office seemed to talk about his criminal case anymore. The press also stopped running stories about him within a few days after the preliminary hearing. She hinted that it was safe for Mike to return to D.C., but he knew that he could never feel comfortable living there again.

"It's getting late," Mike said, as the early Christmas morning finally caught up with him. "Your friends are going to wonder where you are."

"Oh, no, I told them I'd be late. Hey, why don't you come skiing with us tomorrow?"

"Skiing? I haven't been skiing in probably ten years."

"You're from Utah. You must have grown up skiing."

"I don't have any equipment or ski clothes."

"Wear jeans and rent equipment from the ski shop."

“Hang on a second. Mom,” Mike called to his mother who was sitting in the kitchen a respectable distance away. “Any chance you could watch Victoria tomorrow while I go skiing?”

“Sure, I’d be glad to.”

“Fantastic,” Diane said. “I’ve got a condominium at Powder Mountain. Let’s meet at the ski shop at nine.” She arose and sauntered toward the door, and Mike followed. “Bring your swimsuit to soak your sore muscles in the spa after skiing.” She leaned toward him and planted a kiss on his cheek.

Mike smiled at the feel of soft lips on his face again. “It’s so great to see you, Diane.”

“See you in the morning—9:00 a.m.” She winked at him and walked out the door.

Mike watched her stride down the walk and disappear into the darkness.

His mother was standing in the family room as Mike closed the door. “Diane seems like a nice girl. Is she a church member?”

“I don’t think so.”

“How long have you known her?”

“A couple of years I guess. She’s the receptionist at my old firm.”

“Receptionist? You talk to each other like you’re pretty close.”

“We became close when she helped prepare for my preliminary hearing.” Mike started to pace, and he busied himself folding Victoria’s new clothes.

“Well, I know it hasn’t been that long since Helen died,” his mother continued. “But I don’t think you have to be lonely. I was married to your father for thirty-seven years. When he died, it left a huge emptiness in my life.”

Mike smiled appreciatively and stacked the clothes.

“I actually dated a few times to try and fill the void.”

“Mom! You continue to surprise me.”

“It was a gentleman I met at one of the church singles dances.”

“Wow! You went to a dance?”

“It’s too late for me. I’m too set in my ways. But you’re still very young, and Victoria needs a mother.”

Mike smiled and wrapped his loving arms around his mother. “Thanks, Mom.”

“Now can we set up my new television?” she asked with a childlike grin.

Mike was exhausted after the home theater setup and from the Christmas surprises. But he lay awake for much of the night anyway, excited to see Diane again but worried about what people might think about her showing up so soon.

▪

Mike started to get dressed the next morning and realized he’d forgotten to look for ski clothes. He picked up the telephone and dialed Todd.

“Yeah,” a groggy voice answered.

“Todd, it’s Mike. Have you got some ski clothes I can borrow?”

“Sleeping. Call me back around ten.”

“No. I’m meeting Diane at 9:00. I need some gear right away.”

“You’ve got a ski date?” Todd snapped awake. “You better hurry over, dude.”

Mike gathered what few snow clothes he had and crept out of the house.

Todd was waiting at the front door for Mike with a pile of winter clothes.

“Here you go, dude.” Todd held up a brightly colored, baggy, one-piece snowsuit. “This is my snowboarding suit.”

“Are you kidding me?” Mike said.

“It’s been a while since you’ve been up on the mountain hasn’t it? This is the style all the kids are wearing.”

“Since when are we kids again?”

“Come on. Your date will think you’re an animal.”

“Have you got anything else?”

“Not unless you want to wear my sister’s old bibs.”

He was out of options, so Mike reluctantly took the outfit from his friend.

“Don’t forget the hat.” Todd handed Mike a nylon bag full of gear on his way out the door. “And there’s an extra pair of gloves and some shades too.”

▪

Mike arrived at Powder Mountain just before 9:00. He pulled on the borrowed ski clothes and trudged across the frozen parking lot. The bright sun glistened off the fresh powder that dusted the groomed runs.

People stared at Mike and snickered as he made his way to the rental shop. “Hey, Tony!” a group of young boys hollered, then burst out laughing. Mike was unaffected by their mocking because he’d been the object of curiosity for so many months.

He arrived at the entrance to the pro shop and saw Diane looking through a rack of sweaters. A boy next to her started giggling, and she turned and looked toward the door.

“Mike?” she said, and approached him with a cautious expression. “What are you wearing?”

“I borrowed this from my friend,” he said, spreading his arms to fully display a black and orange tiger-striped body suit and matching hat.

“Is your friend in junior high?” she quipped. “I guess not unless he’s a six-foot junior high school kid.” She tugged at the baggy sides then put her arms around his colorful suit. “At least you haven’t lost your sense of humor.”

Diane, in contrast, wore a black turtleneck and skin-tight black neoprene ski pants that hugged the curves of her athletic figure. She carried a matching parka over her shoulder and perched a pair of designer sunglasses on top of her head.

They walked arm in arm to the ski rental section, and the grinning technicians fitted Mike with rental skis and boots while they joked about him escaping from the circus. Mike took their teasing in stride, realizing it was better to have people view him as a freak with bad fashion sense than as a murderer.

Mike was wobbly on the first run while his ski legs slowly came back to him, and Diane skied circles around him down the beginners slope. He felt more comfortable on the second run and consented on the third run to ski an expert black diamond trail near the face, so they could get the first crack at the virgin powder. Many times as a youth when he was athletic and indestructible, he’d pointed his tips fearlessly down the Powder Keg run and shredded down the steep incline. Even though the soft powder would prevent any real injury, he worried that he might take an embarrassing tumble. But he wouldn’t let Diane see any fear.

Diane went first and effortlessly cut perfect slalom curves into the fresh snow. Mike took a deep breath and pushed over the side. He floated down the knee-deep powder as if he was riding a cloud.

Diane stopped at the bottom of the first ridge and turned and watched. Mike picked up speed as he glided through the soft flakes and to his horror found himself headed straight for her. As he closed the last ten yards between them, he panicked and dug the edges of his skis into the deep snow to turn. But his front tips dug into the soft powder, his skis somersaulted over his head, and he wound up in an ice-covered heap at her feet.

Diane burst out laughing and applauded with her gloved hands. Mike struggled to push himself up, but he couldn't get any leverage from the soft snow beneath him, and he sank deeper into a widening hole.

"That was a beautiful tumble you choreographed," Diane said.

Mike chuckled. "I guess I'll lie here until the snow thaws."

Diane extended her hand. Mike smiled and reached for her. With his other arm he dug his ski pole into the snow until he found solid ground. He'd levered up only a few inches when his pole slipped. Diane lost her balance and squealed as she fell on top of him. They laughed at each other, and Mike pretended to struggle to untangle them. He enjoyed being close to her, and Diane's smile hinted that her fall might not have been an accident.

After a few comical minutes, they finally extricated themselves from the snowy pit. They dusted each other off and finished the run with Diane letting Mike go first.

Mike eventually got his confidence back and could almost keep up with Diane. Throughout the day they snuggled progressively closer on the chairlift and laughed and played on the sunny slopes undeterred by the frequent stares and catcalls attracted by his tiger suit.

Although Mike's technique eventually came back, the stamina from his youth did not. By late afternoon, they were spending more time resting in the lodge than skiing on the mountain.

"I know just the thing to soothe your sore muscles," Diane said while they sat sipping hot chocolate in a secluded corner of the lodge.

"Soaking in the hot tub sounds really good right now."

"Did you bring swim trunks?" Diane asked.

"A pair that matches my ski suit," Mike said with a grin.

They dragged Mike's skis back to the pro shop and again suffered the ridicule of the rental staff. When he returned to the Explorer, Mike pulled off his snow clothes and followed Diane in her car as the sun set behind the snowy peaks.

After the short drive from the slopes, Mike grabbed his duffel bag and met Diane at the front door of a rustic-looking condominium. Tall window panes reached from the floor to the top of the vaulted ceiling, revealing, in the remaining daylight, a picturesque view of the valley below. Through the glass Mike could see, off the back of the condo, a snow-covered deck dominated by a large, round Jacuzzi.

Diane pointed Mike to the bathroom to change his clothes. He quickly dressed in blue swim trunks and donned his flip-flops to walk across the frozen surface.

When Diane emerged from the bedroom, her golden hair was pinned up, and she wore a white, terry cloth robe and black sandals. She handed Mike a towel and led him by the arm to the sliding glass door.

"Let me go first and remove the cover." Mike took a deep breath and rushed out into the cold. The frigid air instantly chilled his bare chest. He set the cover on the ground, hung his towel on the hook by the spa, flipped off his sandals, and scampered into the Jacuzzi. The steaming water stung his frozen hands and feet.

Diane removed her robe and hung it next to Mike's towel. The dim porch light reflecting off the white snow revealed her slender frame amply filling a tight black bikini. She delicately

removed her sandals and eased into the Jacuzzi, moving deliberately as if to attract Mike's attention to every movement.

Mike leaned back, rested his arms on the edge of the spa, and looked up at the black starlit sky through the steam rising off their moist bodies. "What a beautiful night."

"There's no better way to relax after a hard day on the slopes," Diane said.

"The heat feels so good on my sore muscles," Mike said.

"Let me turn on the jets." Diane leaned across Mike's arm to reach the controls. The soft skin from her abdomen pressed gently against his arm. She punched a button, and the spa was suddenly infused with high-pressure streams that brought the water to life and pulsated against their warm bodies.

"This brings back memories," Mike said. "In high school, one of my buddies had a hot tub. In the winter, when we could get our dates in the Jacuzzi with us, we'd show off by diving into the snow, rolling around, and jumping back into the hot water. It stung like mad."

"You must've been crazy," Diane said.

"Oh to be young and foolish again," Mike mused.

"There's a patch of snow." Diane motioned to the back of the deck then looked at Mike with a daring expression.

He snickered and shook his head. "No way!"

She smiled and winked at him, enticing him with her seductive blue eyes.

"You go first," Mike challenged.

"Sure," Diane said, and climbed out of the spa without hesitation.

Mike bit his lip and followed, knowing that he had no choice. "This isn't something you want to think about." His teeth chattered. "Dive right in then sprint back to the hot tub."

Diane flopped backward into the pile of soft flakes and was making snow angels with her bare arms and legs. Her skin immediately constricted from the cold.

"Bonsai!" Mike yelled and plunged into the snow next to her. He rolled back and forth a few times and scampered to his feet.

"Come on, let's go!" Mike grabbed Diane's icy hand. She flashed a devious grin and refused to move. "Are you insane?" He chuckled and scooped Diane into his arms and set her on the edge of the spa. He jumped back into the hot tub as she eased slowly in. The hot water on their icy bodies was as a thousand needles piercing their skin.

"Owe! Owe! Owe!" Mike writhed in pain.

"That was very refreshing," Diane said.

Mike sat with a silly grin, not knowing whether to be proud or embarrassed.

A light came on at the condo next door, and Diane glanced up at the illuminated, second-floor window. Mike followed her gaze and saw a neighbor glance down at them then walk away.

"Let me rub your shoulders for you." Diane put her hand on Mike's arm to coax him around. He turned his back toward her, and she placed her soft, warm hands on his broad shoulders and began kneading them gently.

"You're amazing." Mike closed his eyes and smiled.

Diane ran her fingers up the back of his head and worked her fingernails into his scalp. The sensations sent shivers down his spine. Her other hand crept around his torso and began tickling his upper body. She gently pulled him, against his mild resistance, until he was resting against her soft chest. Beads of moisture formed on Mike's face. Diane leaned her head forward and pressed her wet lips against his neck.

Mike started taking quick, shallow breaths. His eyes darted from side to side and then at the lights next door. He slipped out from under Diane's arms and turned to face her.

"It's too soon," Mike started to explain.

Diane sat speechless.

"We've got to take it slow. You know I care about you very much, but people might—" He looked over again at the condo next door. "Boy do I feel stupid."

Diane flipped her head in frustration and turned away. After a moment, she took a deep breath and faced Mike. "You've been through a lot in the last few months. I can wait until you're ready again."

"Give me a call when you get back from skiing tomorrow," Mike said, and reluctantly climbed out of the spa.

Diane clenched her jaw and silently nodded.

Mike rushed back inside, changed his clothes, and darted out the door.

▪

Mike groaned as he dragged himself up the stairs the next morning. His stiff legs burned with each step. His weary body demanded that he rest all day, but his daughter demanded that he take her to the library. Victoria won.

Diane called as Mike and Victoria were on their way out the door.

"Morning, handsome." Diane sounded full of energy. "Are you sore?"

"I walk like I've aged thirty years," Mike said. "Aren't you on the slopes yet?"

"I decided to go shopping today instead."

"I need to stop at the market myself and get some Bengay."

"And a package of Depends?"

"Hey!" Mike objected but couldn't help laughing along with her. "Victoria wants me to take her to the library this morning."

"Oh how sweet." Diane sighed. "If you're going to be downtown, why don't we try to get together for lunch?"

"Great idea," Mike said, "unless you're still mad about last night."

"I couldn't be upset with you," Diane said.

"Fantastic. I'm excited you'll get to see Victoria for more than a quick hello."

They arranged to meet at the El Matador restaurant in Ogden, and ended the call.

▪

When Mike and Victoria arrived at the library, the toddler sprinted to the children's reading room, tore off her coat and mittens, and plopped onto the floor next to a pile of books. "Read this one, Daddy," she said, and displayed a book with a green dragon on the cover.

"Sure, sweetheart." Mike removed his coat, sat on the floor next to her, and began to read about a brave little knight fighting to save his village from a fire-breathing dragon. As he read about the dragon burning the villagers' fields, a three-year-old boy sat down next to Victoria and began to listen. By the time the knight had arrived at the dragon's lair, a pair of young twin sisters joined the group. Mike became more animated as he acted out the fierce battle scene for his growing audience of children. When the village was saved, about a dozen kids had joined the storytelling.

Victoria handed her daddy another book about a puppy named Rex that dug up all the yards in the neighborhood. Mike got down on all fours and pretended to be the naughty dog. At the end of the story, the children and their parents applauded for the storyteller.

It was almost time for them to leave, but Victoria and the other appreciative kids easily persuaded him to read one more book. In this story, Mike played the parts of a beautiful young princess and the many suitors who sought her hand in marriage. The children roared as Mike spoke in falsetto and pretended to primp the girl's long golden hair.

Some of the delighted children clung to Mike as he and Victoria gathered a stack of books to take home. He graciously peeled himself away, checked out their books, and hurried off to their lunch appointment.

▪

“Ha!” Detective Jarek exclaimed and pushed away from his computer. “Kingston just resurfaced in Utah. The guiltiest always run the farthest.”

“What’re you doing, Frank?” Detective Woods asked and looked up from his paperwork. “I thought you were forbidden to pursue Mike after the evidence blunder.”

“There was no blunder,” Jarek said. “I knew the blonde hair wouldn’t match the DNA of the skin cells under the victim’s fingernails.”

“Too bad your *gut feeling* isn’t admissible evidence,” Gavin said.

“The lab tests proved me right.” Jarek stiffened his posture. “No significant identifiable foreign skin cells other than Mike’s.”

“Well you wouldn’t have looked like such a fool at the hearing if you’d had the lab do a thorough analysis.” Gavin sauntered to the water cooler to refill his mug.

“We both know it’s not my fault or the lab’s fault that Kingston walked.” Jarek folded his thick arms across his chest.

“You’ll get busted down to patrolman,” Gavin muttered, “if you keep making accusations about Jerry Fields.”

“I’m gonna follow the evidence wherever it leads. And three months later, the evidence now points to”—Jarek squinted at the computer again—“Plain City, Utah.”

“Returning to his hometown doesn’t make Mike guilty. He probably just wanted to get as far away from the Washington publicity as he could. Let’s keep working the other angles.”

Jarek grunted. “Kingston is the only DNA match. His blonde girlfriend will have to resurface sometime, and BAM!” Jarek smacked his desk. “There’s your motive.”

Gavin sneered and shook his head.

“And I will see Commonwealth’s Attorney Fields,” Jarek continued, “for a personal apology.”

▪

Mike and Victoria arrived at the El Matador a few minutes after the appointed time. Diane saw them from across the restaurant and stood up to signal she had a table. She looked beautiful, as always, in a pressed black skirt and silky white blouse.

Mike embraced Diane, and she gave him a light kiss on the cheek. Victoria hid behind his legs. “Have you been waiting long?” he asked. He removed his parka, tossed it on the back ledge

of the booth, and slid to the middle of the semicircle seat next to Diane. Victoria shed her coat and sat on the end close to her dad's side.

"Oh, just a couple of minutes," Diane answered.

The waitress set chips and salsa on the table. Mike and Diane ordered lunch while Victoria started coloring on her kid's menu.

"What are you coloring?" Diane asked

"A house," the toddler responded after a slight pause.

"It's beautiful."

Victoria kept her eyes on her picture and smiled. Mike winked at Diane.

"Is that a little black dog in front of the house?" Diane continued.

"It's a snowman."

"Oh." Diane snickered together with Mike. "It's a beautiful snowman. Don't you think that home would be happier with a puppy?"

Victoria kept her head down coloring. "And a mommy."

Mike's heart sank, and he caressed his daughter's back.

"I had a puppy when I was your age." Diane broke an awkward moment of silence. "She would snuggle in my bed with me at night."

Victoria stopped coloring and looked up at Diane. "What's her name?"

"Cassidy. Would you like to draw a picture of Cassidy?"

"Don't know how."

"Would you like me to help you? I think I can still remember how to draw a puppy."

Victoria hesitated and looked at her dad with a concerned expression.

"Go ahead, sweetheart," Mike said.

Victoria gathered her crayons and paper, crawled across her dad, and sat between Diane and Mike.

Diane smiled, picked up a brown crayon, and drew an outline of a dog. Then she handed the toddler the brown crayon and asked her to color it in. Victoria scribbled some fat lines over the dog, and Diane put some black dots for its eyes and a little red patch for its tongue.

Victoria giggled, took the yellow crayon, and scribbled circles around the dog's feet. Mike and Diane looked at each other perplexed. The toddler displayed the picture proudly to Diane and remarked with a grin, "Shoes."

Mike beamed, and Diane and Victoria continued to laugh and accessorize the dog until the waitress brought their food. Victoria set her pictures aside but continued to entertain the couple by singing and telling stories while they ate.

"I haven't seen Victoria this talkative in months," Mike commented, and laid out several bills to pay the check.

"She's so adorable," Diane replied.

"Look, Steve," a familiar obnoxious voice from behind cackled. "It's the Sleepwalk Killer again."

Mike spun around and looked fiercely into Mitch Johnson's beady eyes. Diane and Victoria appeared confused. Mitch's sycophantic buddy, Steve, stood a pace behind.

"Don't say another word." Mike spoke firmly through clenched teeth.

Mitch stepped next to the table and looked down at Mike with his chest puffed out. "Stay away from Wendy."

Mike shot up out of his seat, surprising the beefy ex-jock who retreated a half step. The restaurant fell silent, and the patrons stared apprehensively at the men. Diane wrapped her arms around Victoria, who curled her bottom lip and started to whimper.

Mike stared directly into Mitch's sunken eyes and pressed his finger into the cretin's broad chest. "You won't ever say anything about sleepwalking around my daughter again!"

Mitch squinted at Diane, who was nestling Victoria's face into her chest. He gave Mike a smug look, grunted, and strode away. Steve, trailing behind, brushed against Mike as he passed.

When the two were out of sight, Mike sat back down and gathered his weeping daughter into his arms. Slowly the volume of chatter in the restaurant increased.

"I'm sorry you had to be exposed to that jerk," Mike said in disgust.

"Let me guess," Diane said, "a former athlete who likes to pretend he can still be a bully."

"Incredible. You nailed it."

"Who's Wendy?" Diane's expression revealed a hint of suspicion.

"His ex-wife. She's an old friend of mine."

"Have you been seeing her?"

"She works at the same school where I—where my mother teaches, and I ran into her there." He looked toward the exit. "I think they're gone now." Mike stood up and grabbed their coats.

Diane took Victoria by the hand and followed Mike to the door.

"Will I see you again before you fly back to Washington?" Mike asked.

"My flight is early Monday morning. Do you want to ski again?"

"I can barely walk after yesterday. Why don't we get together Sunday? What time will you be off the mountain?"

"Oh, I hadn't planned to ski that day. I can see you anytime."

"We're out of church by noon," Mike said.

"Would it be okay if I went to church with you?" Diane asked.

"Sure," Mike said. "Services start at nine. Let's meet at Mom's house for breakfast first. And after church we can take Victoria sledding."

"Great. I'll see you Sunday," Diane said, and put her arms around Mike for a quick embrace. She then crouched down to Victoria. "Thank you for letting me color with you."

"Here." Victoria handed Diane the picture they had colored.

"Thanks, Victoria," Diane said beaming. She hugged her new little friend, grinned at Mike, and headed out into the cold.

As soon as Mike and his daughter got home, Victoria rushed in and told her grandmother about the "nice lady who draws puppies." Mike too found himself becoming captivated by the "nice lady who draws puppies."

▪

On Saturday afternoon, Mike took the ski gear back to Todd's house.

"The chicks dug the tiger didn't they?" Todd grinned and took the bundle of clothes.

"Yes, I did get a lot of attention," Mike said.

"See, the Skeeter will always take care of you." Todd threw the bundle in the front closet. "Hey, how'd your date go?"

"You know. The usual," Mike puffed. "We skied hard, soaked in the hot tub, and rolled around in the snow."

"Hot tub! Rolling in the snow! I've got to meet this girl."

“She’s coming to church with me tomorrow.”

“Nice. Hey, did you ever see Wendy Johnson?”

“Yeah, we’ve had a few conversations. That’s about it.”

“Hmmm,” Todd stroked his unshaven chin. “Maybe I’ve got a shot at her.”

Mike smiled. “She’ll be at church too.”

“I’m there,” Todd said. “You can be my wingman just like old times.”

“Don’t forget to shower and shave.” Mike chuckled and headed out the door. “These are high-class women. See you at nine tomorrow morning.”

“Yeah, later dude. I better go see if I have a clean shirt,” Todd mumbled as he pushed the door closed.

## FOURTEEN

Mike donned an apron to cover his church clothes Sunday morning and took over french-toast duty, so his mom could work on the rest of the meal.

“You really like this woman, Diane, don’t you?” his mother asked and pulled some eggs and bacon from the refrigerator.

“What makes you think that?” Mike’s cheeks turned red.

“You’ve been acting a little goofy. And it seems like you’re trying to improve your résumé by helping me cook breakfast.”

Mike gasped. “You doubt the motives of your loving son?” He placed a batch of golden french toast onto a plate. “Do you think she’ll be impressed?”

She snickered and dropped some bacon into a frying pan. “It worked for your father.”

Mike chuckled. “I need to find a better job.”

“Mr. Willy supported his family for over twenty-five years on a janitor’s salary.”

“Being a janitor is respectable work,” Mike said. “But Mr. Willy wants his job back when he recovers. And I don’t know if Diane would understand why I took the job.”

“If she loves you, she won’t care what you do as long as you earn an honest living.”

“I sure appreciate your wisdom and perspective,” Mike said. He finished the french toast then helped Victoria get dressed while he continued to think about his mother’s advice.

The doorbell rang at 8:15.

“Maybe that’s Diane already,” Mike said. He took his daughter by the hand and walked to the front door.

His mother had let Diane in and was reintroducing herself.

“Good-morning,” Mike said.

“Hey, handsome.” Diane smiled and unbuttoned her long, black cashmere coat. Her appearance, as always, was breathtaking as she removed the coat to reveal a knee-length, black lace dress and shiny black heels. Her blonde hair was pulled neatly behind to fully reveal her bright golden complexion.

Victoria waved and cracked a bashful grin. “Hi.”

“Good-morning.” Diane tossed her coat on the couch and stooped down and took the girl’s tiny hands. “How are you, Victoria?”

“Wanna see my room?”

“I’d love to,” Diane responded. “Let me say hello to your dad first.” She stood up, put her arms around Mike, and kissed him on the cheek.

Victoria tugged on Diane's black lace dress. "C'mon, Diane."

Mike flicked his head toward the basement stairs. "Could I talk you into brushing her hair *while I finish breakfast?*"

"My pleasure." Diane smiled and tugged on his apron.

Victoria took Diane's hand and led her down the stairs.

Edna raced back to the kitchen to rescue some well-done bacon. "Diane's a lovely woman," she said.

"There's something special about her," Mike said, and started to set the table. "She's very attractive and has an infectious personality. But she has an edge I can't quite figure out. It's strangely endearing."

"I hope she's hungry," his mother said, and set the heaping plate of french toast on the table.

The ladies soon reappeared in the kitchen with outstretched arms. "Tuhdaaa!" Victoria's fine brown hair was pulled behind her and clipped in a ponytail just like Diane's.

"Gorgeous," Mike said, and filled Victoria's cup with grape juice.

"Please join us for breakfast," Edna said, and pulled out a chair for Diane.

"I can't turn down an offer to sample some good Utah home cooking." Diane took her seat. "It smells fantastic."

"We're glad you can come to church with us this morning," Edna said. "If you attend services in Washington, I hope you're not expecting anything like the National Cathedral here in Plain City."

"I wasn't raised in a religious family," Diane said. "So I've never attended church regularly. But I'm introspective about life and intensely devoted to family."

"We're all about family," Edna said with a friendly smile.

"And bacon," Mike said, and snapped off a bite from a crispy strip.

"Mine's too slurpy." Victoria stirred a puddle of syrup on her plate.

Mike handed Victoria a fresh piece of bacon. "I hope you brought a change of clothes," he said to Diane, "so we can go sledding after church."

"It's in the car. Let's get you a nice wide sled this time," Diane quipped.

"It'll be safer for everyone on the hill," Mike said, and Diane snickered.

▪

The organist was playing the prelude music when the Kingston entourage entered the chapel. Mike avoided appearing too close to Diane, so he wouldn't arouse suspicions. Todd was seated alone on the back row in a starched white shirt and red silk tie. His hair was neatly combed down, and his face was clean-shaven. Mike had to look hard to recognize him. But Victoria knew immediately who he was.

"Uncle Todd! Uncle Todd!" she exclaimed as she ran toward him and jumped into his arms.

"What's up, V?" Todd asked.

Mike slapped Todd on the back. "You clean up nice Skeeter."

Todd brushed his buddy aside and introduced himself to the lovely blonde at Mike's side.

Diane extended her arm and smiled. "Nice to meet you, Todd. I'm Diane."

Todd caressed her hand with his warm round paw. "Diane," he began in a suave tone of voice, "I've heard so much about you."

Diane grinned and looked into Todd's eyes. "I've heard so much about *you* too."

"How are you enjoying our mountains? Isn't the snow great?"

“No question. I skied Aspen last month, and it didn’t even compare.”

“That’s why I’ve never bothered to ski in Montana.”

Mike rolled his eyes.

“You mean Colorado,” Diane kindly suggested.

“Colorado too,” Todd agreed.

Mike collected his daughter from Todd as the service began, and they all took their seats.

Wendy and her sons were sitting on their usual bench. She glanced in Mike’s direction, and he gave her a friendly smile. Wendy scowled and turned away.

Mike and Diane were helping Victoria color and subtly flirting with each other, so they caught only about half of what the speakers said. But Todd appeared to listen attentively to the talks and at one point had tears in his eyes. He seemed unashamed and dried his face with his sleeve.

“Hey Todd,” Mike said after the closing prayer. “Why don’t you take Victoria to the nursery? Wendy’s her teacher.”

“I’m there,” Todd said and disappeared with Victoria down the hallway.

“That wasn’t as lengthy as I expected,” Diane said.

“That was just the first of three meetings,” Mike responded.

“Oh.” Diane raised her eyebrows and smiled.

“We don’t have to go—”

“No, I want to go. Besides, we got all dressed up. And I’m happy as long as I’m with you.”

Mike grinned and blushed.

They gathered Victoria’s crayons and drawings, then sneaked into the back of a crowded Sunday School classroom. The class was already engaged in a lively discussion regarding God’s omniscience and freedom of choice. Mike kept looking toward the door for Todd to join them, but he never came.

During the next hour, the men and women met separately, and Edna accompanied Diane to the women’s Relief Society meeting. Mike assumed Todd had gone home to watch football, so he went to the men’s priesthood meeting alone.

After the last meeting, Mike went to the nursery to pick up Victoria. He found Todd lying on his back on the floor. Victoria and four other toddlers were piled on him, trying to hold him down and squealing with excitement.

“Here comes the monster,” Todd growled. He rolled onto his knees, shaking the toddlers to the ground. A young boy climbed onto Todd’s back, and Todd began galloping and bucking around the room.

“Victoria,” Mike called out.

“Daddy!” Victoria ran to his outstretched arms. “Don’t wanna go.”

“You had fun today, huh?” Mike asked and saw Wendy across the room packing toys into a closet and conspicuously ignoring him.

Todd looked at Mike and struggled to stand while a few nursery kids clung to his neck and feet. “Hey dude,” he said, and shook one leg free.

“It looks like you had a good time today,” Mike said.

Victoria reached for Todd. “Thanks for playing with me.”

Todd squeezed her. “Would it be okay if I came to nursery with you every week, V?”

“Righteous, dude!” Victoria banged her tiny fist against Todd’s.

Mike grinned at Todd’s newfound “religious zeal” and collected his daughter. “We’d better get moving. We’re going sledding this afternoon.”

“I’ll be home soon, if you want to borrow the tiger suit again.” Todd growled and clawed at the air.

“Thanks man, but I think I’ll go with the jeans this time.” Mike looked back over his shoulder on his way out, but Wendy never acknowledged him. True friends were scarce after the criminal action, so the sting from Wendy’s rejection was agonizing. He sighed and wondered what he’d done to cause her sudden change from tepid romantic interest to ice cold detachment. No doubt this wouldn’t be the last relationship to chill as Mike navigated his unforgiving new world.

Edna and Diane came down the hall toward them, chattering like old friends. Their conversation trailed off as they approached.

“What did the women discuss today?” Mike asked.

“What we always talk about,” Edna got in between Mike and Diane and interlocked her arms in theirs, “how to manipulate men.”

▪

After a quick lunch, Mike, Diane, and Victoria donned their snow clothes, grabbed Victoria’s new sled, and headed back out into the cold. They found a great slope at the foothills of the Wasatch Mountains and a warm sun fighting through thin gray clouds. The conditions were perfect.

Mike sat down on the hard plastic sled and set Victoria on his lap. He held her tight with one arm and with the other held the sled’s towrope. When he gave the ready signal, Diane edged them over the crest of the hill. The cold wind rushed across Mike’s and Victoria’s faces as they picked up speed. They hit a bump that lifted them out of their seats, and they landed back on the sled with a thud.

“Wee!” Victoria screamed and clutched her father’s legs.

“Wahoo!” Mike hollered as they sped to the bottom of the slope.

Their momentum carried them for a distance at the base, until the sled lurched sideways, and they tipped over into the snow. Victoria stood up laughing and shaking the loose flakes from her clothes.

“Again, Daddy, again!”

“That’s fun, isn’t it, sweetheart?”

They joined their gloved hands and trudged back up the hill.

“Wow!” Diane exclaimed when they neared the top, “you guys really flew.”

“Diane come with us?” Victoria asked.

“Well,” Diane deliberated. “I’ll try it one time.”

Mike positioned the sled at the crest of the hill and sat as far back as he could. He coaxed Diane to sit in front of him, and she lifted Victoria onto her lap.

Mike put his hands on the snow and inched the sled forward until gravity finally began to carry them. The sled started out slow, but midway down the run, they hit full speed. They all screamed and held on tighter when the bumps sent them careening off the trail and crashing in a giggling heap into a snowbank.

Victoria’s tiny legs, laden with winter clothing, rapidly grew tired each time they climbed back up the run, which seemed to get steeper with each step. Mike set her on the sled, wrapped the rope around his waist, and pulled the sled like a Siberian Husky up the slope. His calves and thighs, which had not recovered from skiing, burned as he climbed.

When he reached the top, Mike unzipped his parka and lay on his back to catch his breath. He was resting peacefully with his eyes closed when a clump of snow splashed on his face, instantly cooling his hot skin.

“Oh!” he screamed and sat up with a start. Victoria was standing over him with a handful of snow and a grin.

“Hey you!” Mike grabbed his daughter, pulled her down on top of himself, and held her against his chest.

“Help, Diane!” Victoria squealed and kicked her legs, trying to get free.

Diane smiled and rushed over. “I’ll hold his arms, so you can escape.” She straddled Mike’s abdomen and pried his arms away against his mild resistance.

“No fair double-teaming me.” Mike chuckled and pretended to struggle.

Victoria snickered and squirmed free. Diane cracked a wide grin, held Mike’s arms down, and planted a light kiss on his mouth. Mike looked into her radiant blue eyes then down at her glowing smile. His heart pounded in anticipation of another sweet kiss as their mouths neared and they slowly unleashed their restrained passion. As their lips touched, a burst of powdery white flakes sprayed the sides of their faces. Victoria stood over them with a devious smirk. Mike and Diane looked at each other in shock and erupted in laughter.

▪

Diane ended up hanging out at the Kingstons’ all evening. It seemed as if she couldn’t pull herself away, and Mike wasn’t trying to push her out the door either.

“What time is your flight in the morning?” Mike asked her as he closed Victoria’s bedroom door after tucking her into bed.

“Eight a.m.” Diane gave him a pouty look. “I’ve already stayed much longer than I should have.” She moved in close and put her hand on Mike’s chest. “But I wanted to spend as much time as possible with you. The last few months have been miserable without you at the firm.”

Mike put his arms around Diane’s waist and gazed at her beautiful features in the dim basement light. “You know I care about you very much,” Mike said. “But I’m still hesitant to jump back into a relationship until the criminal charges are only a distant memory. Maybe it’s good that you’re going back to Washington tomorrow.”

“I understand that you need some time,” Diane said. “I can wait a *little* while longer.”

Mike took Diane’s hand, and they sauntered back up the stairs. He helped her put on her coat, and they edged toward the front door, savoring their last few moments together. They looked into each other’s eyes, and Mike felt himself being irresistibly drawn toward Diane by her breathtaking beauty and his longing for closeness again. She shut her eyes and pursed her moist lips. He put his arms around her, drew his face toward hers, and pressed his mouth against her waiting lips. Blood rushed to Mike’s head, and he felt as if he was floating in the air. His heart raced to feel near a woman again. They held each other tight and felt the passion between them swell. He snuggled his face into her golden hair, let out a deep sigh, and released his embrace. “I’d better not delay you any longer.”

Diane slowly let go.

Mike held open the door, and the burst of frozen air cooled their warm faces. “Give me a call soon.”

“I will,” Diane whispered. She kissed her two middle fingers, waved them at Mike, and strolled down the icy path to her car. He watched out the window until her headlights disappeared into the cold night.

▪

Mike sat around for the last few days of Christmas vacation like a giddy schoolboy, daydreaming about Diane and wondering when she was going to call. Just after 6:00 p.m. on New Year’s Day, the phone rang. Mike ran to answer it before the second ring. “Hello.”

“Happy New Year, handsome.”

“Diane! How was your flight?”

“With the time change and the long early morning flight, I’ve slept almost continuously since I got home.”

“I haven’t been able to stop thinking about you,” Mike confessed.

“Why are you trying to stop?”

They chuckled together, and Mike remembered the fun they had the previous week and why he was falling in love. They talked at length about what they’d done to keep busy since they were together. Mike tried to make “sitting around the house waiting for her to call” sound as interesting as possible until he realized how late it was on the East Coast.

“I’d better let you go,” he said. “You’ve got to get up early for work. Say hi to everybody for me.”

“I certainly will since everyone has to go past reception. Don’t you have to get up for work?”

“No, I don’t work until the afternoon.”

“I don’t think you ever told me about your job,” Diane said.

“Oh, well I’m working for the school district,” Mike answered.

“I didn’t realize school districts hired litigators.”

“Uh, no, I’m not a member of the Utah Bar *yet*, so I’m just doing some temporary work at the school.”

“That’s wonderful. I wish I could work with children too.”

“You work with lawyers. Same thing.”

They shared one last laugh and said their good-byes.

▪

The next afternoon, Mike went back to the school to resume his janitorial duties now that the Christmas break had ended.

The principal called from his office when Mike arrived. “Hey Mike, can I see you for a second?”

“It wasn’t me that threw the paper airplane, honest,” Mike said as he marched into the headmaster’s inner sanctum.

The principal chuckled. “You know we’ve appreciated you filling in for Mr. Willy.”

“It sounds like I’m getting fired . . . or detention.”

“On the contrary, you’ve done a spectacular job. But Mr. Willy is back to work next week.”

“I’ve been happy to fill in.”

“If you don’t have something lined up yet,” the principal said, “I heard of an opening with the school district.”

“Mom told you about my cooking, and you want me to teach Home Ec, right?”

The principal let out a deep belly laugh. “No, the district office needs someone in their Human Resources Department who can help with legal compliance issues.”

“I’m a litigator, not an employment attorney.”

“They need a sharp mind that can interpret the law. I’m sure your giant brain could master employment law in no time. Here’s the job bulletin.” The principal handed the announcement to Mike. “Let me know if you’re interested, and I’ll put in a call to the superintendent for you.”

Mike stood up, folded the papers, and put them in his pocket. “I’m interested,” he announced. “I don’t know how I can thank you for your support.”

“You can make those urinals shine for a few more days.” The principal grinned and turned the music on over the P.A.

Mike went right to work cleaning the school, buoyed by the new career opportunity. He began his routine as usual with the dust mop, sweeping up and down the halls and throughout the classrooms. He was thinking about the HR position when he barged in on Wendy working at her desk.

“Oh!” Mike said. “I didn’t realize you were here. I can come back.”

Wendy didn’t look up. “Go ahead and clean.”

The silence between these two old friends enveloped them like a thick black curtain. Mike repeatedly looked over at Wendy as he cleaned around the desks, but she kept her head down.

“Did you and your boys have a nice Christmas?” he asked.

“Swell,” was her curt response.

Mike’s frustration burned within him, and he charged up to her desk.

“Was it something I said, or something I did, or something I didn’t say, and I’ll say it?”

Wendy finally looked up with a blank stare. “Mitch was right about you.”

“What are you talking about?”

She opened her side desk drawer, pulled out a folded newspaper, and tossed it on the desk in front of Mike.

“What’s this?” He picked up the newsprint. It was a faded supermarket tabloid folded open to the middle. He glanced at the washed-out picture in the center of the page, and his jaw dropped.

Despite the discoloration, he clearly recognized a photograph of himself and Diane embracing each other on the elevator at the BW office building. He scanned the caption: “The Sleepwalk Killer and his mistress after closing hours at the firm.” The blood drained from his face, and he braced himself against Wendy’s desk. He looked at her with a grave expression and asked, “You think I was having an affair with this woman and killed my wife?”

“No,” Wendy replied, her acerbity even more intense. “It’s just a *coincidence* that mere weeks after your wife’s murder you’re snuggling in the elevator, and a few months later she shows up in Plain City acting like your steady girlfriend.”

“Diane is a friend,” he pointed to the woman in the picture, “and I was just thanking her for staying late to work on my defense the night before my court hearing. And she happened to be in town skiing with some friends over Christmas and looked me up.”

Wendy lashed out, “I’m sure that’s what you’d like people to believe!”

“It’s the truth,” Mike pleaded, “and someday you’ll know it.”

“So you’ve never been romantically involved with her?” Wendy demanded.

Mike shifted his stance, then showed a sad countenance. “I loved my wife very much. I never would have cheated on her or done anything to harm her.”

Wendy looked up at him with moist eyes. “I don’t know what to believe anymore.”

Mike knew there wasn't anything he could say that would change Wendy's mind that afternoon, so he quietly turned and walked out of her classroom. He sulked around the school as he slowly finished cleaning, his life clouded with despair again by the specious rumors sold by the tabloids.

For the next few days, Mike sat around the house while Victoria watched cartoons. Diane called a couple of times and left messages, but his old paranoia returned, so he didn't pick up or return her calls for fear that someone might be listening in. He didn't know what to say to her anyway because he thought any further relationship between them was doomed.

Mike didn't see his mother much during the week because of their work schedules. On Friday afternoon, before he reported for his last day at the school, she hesitantly approached him.

"You don't look very happy," she said.

"I've got a lot of things on my mind lately."

"It must be Diane."

Mike wrinkled his face. "Yeah, sort of."

"You ought to talk to her about your concerns. Don't leave her hanging."

Mike considered his mother's advice and realized how unfair he'd been to Diane. "Thanks, Mom. You're right. I'll call her in the morning."

All night long while he cleaned the school for the last time, he rehearsed in his head the conversation he planned to have with Diane in the morning. He'd made a living as a high-priced attorney solving any problem, no matter how difficult. But he couldn't imagine any way that he and Diane could have a public relationship without the specter of Helen's murder hanging over them. If their relationship was going to end for this reason, however, he thought it was only fair that it be a mutual decision.

▪

Mike tarried at the breakfast table Saturday morning until he'd read the local newspaper cover to cover. At last he determined he could no longer put off the inevitable phone call to Diane. He settled into a comfortable seat on the downstairs couch and dialed her number.

"Hello."

"Hey, it's Mike."

"Mike who?" a stern voice responded.

He expelled a short, nervous laugh. "I'm sorry it took so long to return your calls."

"Oh, that Mike."

"We've got a major problem, and I've been wracking my brain to figure out how to handle it."

"Do you still have feelings for me?" Diane asked.

"Yes, of course."

"Then what made you think you should ignore my calls and try to solve the problem on your own?"

Mike took a deep breath. "Someone showed me a tabloid picture of you and me with our arms around each other at the office the night before the preliminary hearing."

"I remember when that was taken. We weren't doing anything."

"I know, but the caption calls us 'the Sleepwalk Killer and his mistress.'"

"Now you're uncomfortable to be seen with me." Diane sounded angry.

“I’ve been through this nightmare before with my picture and the heinous accusations plastered all over the press. I care for you too much to let you get dragged through the mud like that.”

“You care about me so much that you can’t risk being seen in public with me?”

The conversation was going much worse than Mike had planned. “I don’t want to worry, every minute we’re together, that someone is watching or taking pictures that are going to wind up again in some tabloid story about how I killed my wife, fabricated the story about sleepwalking, and then ran off to Utah with my mistress. The abrupt dismissal at the preliminary hearing didn’t help to quiet the rumors.”

“I’m not going to let some rag tell me who I can or can’t see.” Diane’s voice rose in defiance.

“I think we should just lay low for a while.”

“We’re two thousand miles apart.”

“I know, I mean maybe the phones are bugged or something.”

“I never took you for the paranoid type. Anyway, I want to be with you no matter who’s listening or watching.”

“Let’s just see what happens for a little while. I’ll talk to you soon.”

“You’d better.”

Mike sighed. “Good-bye.”

“Bye.”

Mike hung up the phone and stretched out on the couch. He closed his eyes and reflected on their conversation. *Diane didn’t seem too concerned about the picture or the adverse publicity that might follow us. Maybe our relationship can work if enough time goes by.*

Victoria came tromping down the stairs. “Daddy!”

“Down here, gorgeous.”

“Whatcha doing?” She crawled on top of her father and laid her head on his chest.

“Thinking,” he replied, and wrapped his arms around her.

“Bout what?”

“I wish you were old enough to understand.”

That answer seemed to satisfy her, and she closed her eyes and snuggled with her dad.

Someday, Mike realized, he would have to explain to Victoria the circumstances surrounding her mother’s death, and he prayed she wouldn’t forever be haunted by rumors that her father had killed her mother. He closed his eyes and kissed his daughter on the forehead.

## FIFTEEN

Mike started his new job at the school district a week and half after he cleaned the elementary school for the last time. He enrolled Victoria in Sister Shaw’s daycare, and even though he knew his daughter was in a good environment, he still shed a few tears when he dropped her off Monday morning on the way to work.

He was a little nervous as he entered the Weber County School District office, worrying more about how his co-workers would feel about him than about his ability to fulfill his new job description. But the friendly smile of the district’s young receptionist, who reminded him of Diane, put him at ease until the superintendent arrived.

After brief introductions, the superintendent pulled Mike into his office and closed the door. “We’re very excited to have a man of your pedigree working with us, and we’re glad to have you for as long as you remain interested. We know your professional skills will be underutilized, but I think you’ll find the schools in our district will present you with some interesting problems to handle.”

“I appreciate the opportunity and am looking forward to the challenge.”

“I know what you went through in Virginia, and I’m sorry for your loss.” The superintendent spoke with genuine sympathy.

Mike glanced down. “I appreciate that.”

“I knew your father well, and he was the most honest man I ever met. And your mom has been a highly respected teacher in the district for many years.” The superintendent looked Mike directly in the eyes. “I know your folks didn’t raise a murderer.”

Mike was humbled by his confidence. “I’m very grateful for this chance at a fresh start. I won’t let you down.”

“I know you won’t.” The superintendent braced Mike’s shoulder and gave him a firm handshake.

The superintendent didn’t waste any time and immediately turned Mike over to the Human Resources staff.

The HR Department was a small, close-knit group of two women and two other men. The head of the department showed Mike to an unoccupied cubicle and oriented him with his computer, the network, and the software they used. By the time they were finished, it was time for lunch.

While they dined on souvlaki at their favorite Greek restaurant, Mike’s new co-workers interrogated him about his life and fawned over pictures of Victoria. Treading delicately at first, they discussed Mike’s prosecution and, as they became more acquainted, even teased him about the moniker from the press, and the joking actually eased Mike’s concerns. When they returned to the office, the department head put Mike right to work, promising that he would have “lots of amusing projects to work on.”

The principal of one of the junior high schools in the district reported that someone, possibly the janitor, had been showering after hours in the boys’ locker room and sleeping on school property. Mike was asked to investigate the claims, analyze the applicable policies and regulations, and develop a solution. Mike spent the rest of the afternoon researching the relevant laws and regulations and preparing to visit the school.

When the workday was over, Mike hurried back home, anxious to hear about Victoria’s daycare experience. She loved Sister Shaw and the other little girl named Shelby, but the boys fought a lot. While they ate dinner, Mike excitedly told his mother and Victoria all about his new friends at the district office and the work he was doing.

Later that evening, he called Diane to tell her about his new job. She quipped about not working too closely with any available women. Mike told her about their lunchtime discussion and his belief that his new friends appeared to be open and accepting of him. After a long pause, Diane expressed her continuing affection for him and her hope that they might be together again soon. Mike said, “Me too,” and they ended the call.

▪

Mike contacted the junior high principal first thing Tuesday morning. The principal and a young female English teacher, who asked him to call her "Natalie," were waiting for Mike in the office when he arrived later that morning. The principal explained that her staff was a little "freaked out" by the fear that some vagrant was on the school premises after hours and using the facilities, and they were anxious to resolve the incident before the students and their parents became alarmed.

"I was at the school late one night," Natalie eagerly volunteered with a hollow-sounding allure. "As I was leaving the building, I heard a shower going in the boys' locker room. I figured it was Scott, the janitor," she said with a smirk, "because his dumpy old Plymouth was the only other car in the staff parking lot."

"I used to be a school janitor," Mike said.

"Oh." Natalie shrank like a deflating balloon.

The principal scowled at the teacher and continued. "Some students thought they saw a homeless man sleeping in the auditorium early the next morning. By the time they returned with the assistant principal, the man was gone."

Mike had enough information from the two women and headed for the door. "Where can I find Scott?"

The principal pointed down the corridor. "Follow the hall and take the stairs down."

Mike smiled politely and left. He found the janitor in the lunch room, setting up the folding tables. "You must be Scott," he said as he approached with his hand extended.

"Yep." The broad-shouldered man shook Mike's hand.

"I'm Mike from the district office. Let me help you out."

"Don't get your nice pants dirty," Scott said.

"Got it," Mike said. "This looks like hard work moving these tables back and forth. I'm glad we could just clean around the lunch benches at my school."

"Oh, what school's that?"

"Plain City Elementary," Mike said, and locked a table into place. "I used to be the janitor there. Thankfully it wasn't as big as this place. Do you clean the whole school by yourself?"

"Yep. Except for the lunch room, the cooks mostly do that."

"That's a lot of building to clean. How long have you been working here?"

"Ever since high school, so about five years."

"Five years? You're a professional now," Mike remarked with a grin.

A broad smile formed over the janitor's face, and he snapped the last table into place.

"I came to find out about something that happened at the school late at night," Mike continued. "Maybe you can help me."

"Sometimes I'm here late." Scott pushed two tables together, and Mike helped him line them up. "Try me."

"Well, I heard that someone was taking a shower in the boys' locker room late one night last week. You wouldn't happen to know anything about that would you?"

The janitor stopped moving the tables and looked at Mike. "Would that be a problem?"

"Well, the school just wants to maintain control over the use of its facilities."

The janitor had the appearance of a boy caught riding a stolen bike and looked to Mike for absolution.

"Was that also you that the students found sleeping in the auditorium?"

Scott silently acknowledged that it was. "Am I going to lose my job or something?"

“No, I’m sure you were just working late into the night to clean the auditorium and collapsed exhausted into a seat.”

“Well, yeah, my old lady kicked me out, and I didn’t have anywhere else to go.”

“I know what you mean,” Mike said. “I’ve had to sleep on the couch a few times after fighting with my wife too.”

“Yeah, well, it was my mom that kicked me out.”

“You better stick with ‘working late cleaning the school.’”

“Well, yeah, I was cleaning, mostly.”

“And you’ll never sleep or shower at the school again, right?”

“You bet.”

Mike gave Scott another firm handshake. “Then I don’t think you’ll have any further problem with this.”

“Thanks, Mike.” Scott smiled and went back to work.

Mike returned to the office to smooth things over. The principal was relieved to hear that it was Scott, instead of some vagrant, who had been in the building after hours. She said she was willing to let the incident slide because the janitor had always been a good employee and promised not to do it again. But Mike also believed that her shame about the ignorant comment from the English teacher motivated her. She thanked Mike for his professionalism, and he strode out of the school.

Over the next few weeks, Mike was able to resolve several other school district problems that required finesse and creativity. The superintendent said he was impressed at Mike’s success in staving off lawsuits and dubbed him the “Magic Man.”

▪

Mike called Diane at least three times per week to chat. They talked about his successes in his new career, and she kept him up to date on all the activity at the firm. They also talked for hours about Mike’s family life, growing up in a rural Utah farming community, escaping the small town to attend a renowned international university, and graduating in the top of his class at a highly respected law school. She was even interested in hearing the details of his courtship and marriage to Helen and the birth of Victoria.

Diane, in contrast, was reluctant to talk about her family and seemed sensitive about the topic. One day Mike pressed her too hard and learned why. She burst into tears and cried, “My parents are dead!”

Mike banged the telephone against his head and said, “Oh, honey. I’m so sorry. I’m such a jerk.”

Between her turbulent sobs, she made him feel even worse. “They died in a car crash when I was thirteen. I got passed around the extended family, from one dysfunctional home to another.” After a long, teary pause, Diane composed herself and concluded, “I’ve been on my own since I turned eighteen, dreaming of having a real family again someday.”

Diane steered away from any conversation about her history before BW, and the family subject was uncomfortable, so they spent a lot of time talking politics, religion, rock music, children, and even sports. Mike was amazed to discover that their views were remarkably similar on most major topics, except that she was a Vikings fan and hated the Skins.

Mike and Diane soon found that the distance forced them to communicate, and ironically made them grow closer. And the closer they became, the more they longed to be together again.

But Mike was still afraid to be seen with Diane in public. In order to see each other over the upcoming Presidents' Day weekend, they needed to go relatively unnoticed. There was no place, easy to reach by airplane, where they wouldn't run the risk of being spotted by the press. So they needed a place where tabloid freaks were so common that people wouldn't care if they did recognize the Sleepwalk Killer—Los Angeles.

▪

Mike and Diane arranged to meet in L.A. on the Friday before Presidents' Day. Mike's short flight landed early in the evening, so he was able to rent a car, check in at a hotel, and make it back to the airport before Diane's plane arrived. He waited for her outside security and paced up and down the hallway holding a single pink rose. When Diane saw Mike, she sprinted to him, flung her arms around him, and planted a firm wet kiss on his mouth.

"Sweetheart, I missed you so much," she said and loosened her grasp.

"I missed you too." Mike grinned at the enthusiastic greeting and handed her the delicate pink flower.

She threw her arms around his neck again so tight he couldn't breathe. "That is the sweetest thing anyone has ever given me." She cradled her rose like a precious gem as they walked together to the baggage claim, holding hands and smiling like giddy schoolchildren.

▪

Mike and Diane were famished when they got to the hotel, and they decided to find something to eat. The couple took their eyes off each other just long enough for Diane to slip into the bathroom and appear moments later in a short black dress and heels, with a new hairdo and makeup.

The hotel restaurant had stopped seating customers, so they went to the lounge and had salads. When the nighttime crowd got too loud, Mike led Diane by the hand outside, and they strolled in the bright moonlight around the hotel gardens. He pulled her into a secluded grove of date palms and tropical flowers and wrapped his arms around her. Diane wasn't dressed for the cool night air and stood shivering in Mike's arms. He held her tight against his warm body and rubbed his hands vigorously over the goose bumps on her bare arms and shoulders until she seemed to relax. Diane peered up into Mike's brown eyes and leaned in for a kiss. Just as their lips met, her jaw tightened, and she raised her hand to her mouth to mask a yawn. Their romantic interlude degenerated into hysterical laughter, and unable to compete with the cold and jet lag, they retired for the evening.

▪

Mike went ahead to the hotel restaurant in the morning for breakfast and scanned the *L.A. Times* while he waited for Diane. She appeared a few minutes later wearing shorts and a tank top, her long flaxen hair tied back in a sassy ponytail.

"Wow! You look fantastic."

Diane remained silent as she took her seat across from him. Mike leaned over the table and received a lackluster good-morning kiss.

She looked at the menu while he suggested some activities for the day. But she showed no interest. "Something must be wrong," he finally observed.

“What makes you think that?” She fixed a blank stare out the window and did not try to hide her sarcasm.

Mike reached across the table and cupped Diane’s hand. “Why don’t we talk about it now so we don’t ruin our weekend?”

“Are you sure you want to be on vacation with me?”

“Of course!” He leaned forward and pecked the back of her hand. “We flew thousands of miles to be together again.”

She withdrew her hand and folded her arms tight across her chest. “What happened last night? You don’t think anyone’s watching us here, do you?” Diane asked, and glanced around the restaurant.

Mike wrinkled his brow and deliberated for a moment. “You know that I care deeply for you. After what we’ve been through, I don’t see how you can seriously question my dedication.”

Diane’s countenance started to soften.

“We talked about this before. We need to be patient.”

“Okay,” she said with a pouty face. “I’ll try, but it won’t be easy.”

▪

They spent the rest of the day wandering around the fabled streets of Hollywood and enjoying the attractions at Universal Studios. In fact it didn’t matter to them where they were or what they were doing as long as they were together.

The next day Diane announced that she wanted to go to the happiest place on earth. Mike remarked, “Tijuana?” She claimed that her parents had never taken her to Disneyland as a kid and that as a result she had deep emotional scars—a rare insight into her childhood that Mike did not question. Diane giggled like a little girl when they rode the legendary Matterhorn, Pirates of the Caribbean, and Star Tours rides that she’d dreamed about when she was young.

By Monday they were both worn out. They got up late and packed leisurely. With only a few more hours together, they checked out of the hotel and just started driving. Before long they reached the coast, and the sun shone brightly on the beautiful blue water. They turned north and continued their lazy drive along the Pacific Coast Highway, raving at the spectacular beauty of the coastline.

They pulled over somewhere near Malibu, took a stroll along the beach, and breathed in the fresh sea air. The shore was unusually vacant for a weekend afternoon, with only a few other bodies enjoying the sunshine. They chased each other through the surf then collapsed together onto the beach. The sand was soft and warm, and they laughed and kissed, holding each other, lost in their own world.

Their clothes eventually dried by early afternoon, but fine particles of sand still clung to their legs and shimmered like glitter in the sunlight. They lunched at a nearby café overlooking the ocean and discussed the future.

They prolonged the meal as long as possible then rushed to the airport in time for Diane’s flight. They indulged in an extended good-bye kiss outside security, and after one glance back over her shoulder, Diane was gone. Mike stood in place for a moment longer, etching her image in his mind.

▪

After the holiday weekend, Mike and Diane's romance continued to blossom. Their telephone calls were more frequent and lasted longer, and they exchanged e-mail love notes at work almost daily.

Every three-day holiday weekend for the next few months, they arranged to meet again in a different city. This allowed them to see each other, without being hounded by the press, and to visit interesting sites they'd never seen before—the Grand Canyon, Key West, Cape Cod. With each day they spent together their love and commitment for each other deepened.

Mike remained hopeful that the Virginia detectives would make another arrest for Helen's murder, so the cloud of suspicion hanging over his head would dissipate. Before each holiday weekend with Diane, Mike reached out to Detective Woods for an update on the case. The first call was quite uncomfortable because the last time they'd spoken, the detective was part of the team trying to convict Mike. But the detective seemed trustworthy, and he was willing to analyze any new evidence with Mike, as long as Jarek couldn't overhear them. Unfortunately there were seldom any new developments to report, and the trail appeared to grow colder with each passing month.

Over the Labor Day weekend in September, Mike took Victoria with him to meet Diane in Chicago. If they were someday going to be a family, it was important that his daughter get to know Diane better. They had the best weekend ever, exploring the museums and browsing along the Navy Pier. Victoria's favorite part seemed to be eating barbecue ribs and dancing with her daddy to the grooves of the local blues bands. Mike was slowly becoming convinced by Diane's repeated suggestions that "Victoria needs a mother." So despite his misgivings, Mike allowed himself to feel as though he had a family again, and it felt good.

After Diane returned to Washington, Mike and Victoria tarried in Chicago for another day, and Sharon Sinclair came from New Jersey to visit her granddaughter. Victoria was so excited to see Nana Sinclair that she ran around in circles screaming, "Nana! Nana!" for about half a minute. And Sharon was overjoyed to be reunited with her granddaughter. Victoria delighted her grandmother for hours with her new vocabulary and expanded repertoire. And Sharon gushed about how Victoria had grown and matured so astonishingly in the last year. No one mentioned Bob, whom Sharon had promised not to bring. Mike and Sharon consoled one another from the lasting sting of Helen's death, and Sharon listened with interest as Mike revealed his blossoming romance with Diane. Sharon seemed genuinely supportive of Mike's new love.

▪

Mike proposed to Diane on the observation deck at Niagara Falls over the Columbus Day holiday as the cool fall air blew the fine mist from the waterfall onto their faces. Her eyes lit up as if she had been waiting for that moment all her life, and she immediately responded with an emphatic yes and a suffocating hug.

Mike didn't think it was good form to surprise his old friends in Washington with a wedding announcement after having no contact with most of them for over a year. So he spent one morning at home on the phone with Craig, Randy, Laura, Grace, and Nadine and went in late to work.

Once Mike and Diane were engaged, they agreed it was time to confront their fears about being seen together in Plain City. Almost immediately after they set a date, Diane bade a sad farewell to BW and moved to Utah.

The people in the community generally reacted supportively toward their engagement. There were a few who scoffed and said that a year was not a sufficient mourning period after his wife's murder. But this didn't bother Mike. He was just happy that no one other than Wendy and Mitch ever openly accused Diane of being the mistress for whom Mike killed his previous wife. And as far as he knew, the press hadn't picked up on their impending marriage.

They planned to have a small December wedding near the one-year anniversary of their ski date—a simple ceremony performed by Bishop Shaw, followed by a reception in the church gym. Diane rented a beautiful white dress from a local bridal shop, and Mike rented a standard black tuxedo. Mike was astounded that Diane was taking such a casual approach to their wedding. The only thing that mattered to her, she said, was becoming his wife.

▪

Detective Jarek picked up the call the switchboard operator had forwarded. “This is Detective Frank Jarek.”

“My name is Mitch Johnson,” the caller said.

“What can I do for you Mitch?”

“I live in Plain City, Utah.”

Jarek's ears perked up. “Go on.”

“You might be interested to know,” Mitch continued, “that the Sleepwalk Killer is getting married in a few weeks.”

“How'd you find out about the wedding?” Jarek asked. “You get an invitation?”

“Ha! No,” Mitch said. “All of Plain City's talkin' about it.”

“Do you know who his fiancée is?”

“I think they're paying for it themselves,” Mitch said. “It's just gonna be at the church.”

Jarek grunted. “Who's the bride?”

“Some woman. She's showed up in town a couple of times.”

Jarek's patience was exhausted. “Where can I reach you, Mitch, if I have further questions?”

“Uh, I don't think I should give you my name,” Mitch said.

“Well, thanks for the call then, Mr. Johnson,” Jarek said, and hung up the phone.

“Who was that?” Detective Woods asked.

“Some guy from Utah.” Jarek grinned and shook his head. “Says Mike's getting remarried.”

“That's pretty soon,” Gavin observed.

Jarek smirked. “About a year-and-a-half since he murdered his last wife.”

Gavin shook his head. “Finding new love doesn't make him a murderer. He's probably just trying to move on.”

“Or hitch up with the girlfriend he killed for.”

“Well don't involve me in your delusions,” Gavin said. “We were ordered to pursue other leads, and I don't want to get suspended with you.”

“There are no other leads!” Jarek banged his fist on his desk.

“I'm going to pretend I didn't hear anything,” Gavin said, and went back to his work.

“I guess I'll just wait,” Jarek grumbled, “for some tabloid reporter or dimwit in Plain City to do my investigative work for me.”

▪

On Friday afternoon, the day before the wedding, Edna organized the women from the church to decorate the chapel and transform the gym into a reception hall. Mike and Todd did all the heavy lifting of the backdrops and tables. The women hung ribbons and lace, placed flowers around the gym, and covered the tables with linens.

Craig, Randy, Laura, and Grace arrived from Washington that evening. They planned to meet Mike and Diane for dinner that night and were waiting in the restaurant at their hotel when the couple arrived. The BW crew appeared overwhelmed, almost to tears, by their reunion with Mike and by his ability to find happiness with Diane after his ordeal.

As soon as the lively party was seated around a large table, Craig demanded to hear the full story of how the couple got together. Mike began to unfold the story beginning with the surprise Christmas visitation from a “heavenly angel,” to their raucous day of skiing, and then to their monthly rendezvous all over the country. Diane frequently interjected to correct embellishments and to add key details, like the tiger-striped ski suit flopping in the powder.

Craig and Randy were thrilled to report that they had consummated the settlement of the Kidz Play case. About two weeks before the trial, they got favorable rulings from the judge on key insurance and evidentiary issues. The insurance company was compelled to pay much more than the original settlement, but Craig couldn’t disclose the amount because they agreed to keep it confidential.

Craig then announced with false humility that he’d made partner last August.

“Fantastic!” Mike bellowed and raised his water glass to offer a toast, proclaiming that it proved his theory that anyone who kisses up long enough will eventually become a partner. Everyone burst out laughing.

Laura and Grace reported the latest office gossip, and Mike remarked that he was relieved the office talk was no longer about him, at least not until he ran off with the receptionist. The group roared with laughter again.

Randy, who had obviously begun to feel the effects of his fifth beer, raised his glass and slurred, “Here’s to second chances.”

“Speaking of second chances,” Craig remarked, “do you remember that cute blonde prosecutor?”

“Karen Davis?” Mike exclaimed. “How could I ever forget?”

Craig cracked a wide grin. “We’ve been dating for about three months.”

“Dude! She tried to get me executed!”

“What’s a little murder prosecution among friends? Anyway, that’s why I didn’t bring her to the wedding. But you don’t mind if I see her do you?”

“Hey, it’s your life,” Mike said with a chuckle, and he knew he was on his way to a full recovery.

They talked and laughed about old times until almost ten o’clock. Fatigue from the combination of jet lag and alcohol rapidly caught up with the D.C. contingent.

Before they parted, and while the drinking had loosened Randy’s tongue, Mike pulled Randy and Craig aside.

“It’s been long enough now, Randy,” Mike said. “Are you going to tell me what happened at the preliminary hearing?”

Randy took a sip of his beer.

“Jerry Fields didn’t even hear most of the evidence,” Craig said, “but he forced Karen to dismiss the charges.”

“What I’m about to tell you,” Randy began, then paused and stroked his chin, “stays between us. And you have to promise it won’t affect your wedding day.”

“Absolutely,” Mike said.

Craig nodded in agreement.

“Warren Baker is a close friend of Rick Burgess, the commonwealth’s attorney for Fairfax County. After your arrest, Warren contacted his old buddy and expressed grave concern about the prosecution of his new partner. Burgess’s office was being highly scrutinized by the state office and the press. If Burgess had not prosecuted you in such a high-profile case, he very likely would have lost his job.”

Mike and Craig listened with wide eyes and mouths agape.

“Warren continued to put pressure on his friend as the bad publicity mounted,” Randy continued, “so they eventually hatched a plan to assign the case to a neophyte and then dismiss the charges, before the judge bound you over to the grand jury, by pretending the inexperienced prosecutor screwed up. This permitted Burgess to claim his office had made an effort to indict you.”

“If word got out on this,” Craig said, “it would damage a lot of reputations.”

“Not to mention raising serious doubts about my innocence.” Mike lowered his head and rubbed the back of his neck.

“I thought about that,” Randy conceded, “but there wasn’t anything I could have done to prevent Warren’s interference anyway.”

“There’s nothing wrong with using influence to get the right result,” Craig rationalized.

Mike sighed and stared at the ground. “Well I appreciate Warren’s loyalty in protecting my interests.”

Randy wrinkled his face and turned away. “It wasn’t your interests he was trying to protect. Warren wanted to condition the dismissal on your resignation from the partnership.”

Mike gritted his teeth. “It’s a good thing I left then because, knowing that, I couldn’t work with him.”

“Man, now I feel like moving to Plain City,” Craig said.

Mike cocked his head. “Do you think Burgess removed evidence from the file before giving the case to Karen?”

Craig appeared startled by the question. “Do *you* think there’s more evidence?”

Mike shook his head and shrugged his shoulders.

“I can’t imagine that Burgess would go that far,” Randy responded.

“It doesn’t seem like such a big leap,” Craig said, “to go from fixing the preliminary hearing to suppressing evidence.”

Diane slipped her arms around Mike’s waist from behind, and the men clammed up. “You boys have had my man long enough,” Diane said.

Randy and Craig surrendered the groom, and they all hugged good-night. Mike and Diane walked out of the hotel holding hands as their Washington friends stumbled onto the elevator.

▪

Four inches of fresh powder dusted Plain City overnight. The frozen white crystals clung to the bare branches of the tall oaks surrounding the church, and icicles hung like slender jewels from the roof. By mid-afternoon when it was time for the ceremony to begin, the sky was clear and the sun was shining.

The scent of fresh springtime flowers filled the chapel, belying the lifeless wintry landscape outside. Exquisite bows of shiny red and white ribbons adorned the ends of the pews. Mike stood at the front next to Bishop Shaw, who was clutching his scriptures. Traditional songs played on the organ. Mike's family and friends were seated in the large center section. He smiled appreciatively at the Washington delegation who had supported him through the difficult times, and he grinned with pride at his mother in the front row.

The organist got the signal and launched into "Wedding March." The guests all stood and turned. Victoria led the procession, toddling down the left aisle in her white lace dress. She carried a basket with rose petals that she sprinkled with her delicate fingers. Diane followed, escorted by Craig—a last-minute addition and the closest thing she had to a male family member. Diane wore a long, white satin gown and carried a simple bouquet of red roses. A sheer white veil covered her face and flowing golden hair. Her sparkling white grin and transfixed gaze as she strode toward the groom showed this day was the fulfillment of a long-sought dream.

When they reached the front of the chapel, Craig lifted the veil from Diane's face, embraced her, and took his seat. Mike took Diane by the hand and leaned toward her to sneak a quick peck on the lips.

"Now there'll be plenty of time for that later," Bishop Shaw said, and the audience snickered. Mike and Diane smiled at each other, and he looked lovingly into her blue eyes. He still had some concerns about remarrying so soon, but he couldn't deny that she had quickly won his heart.

The bishop began by explaining the sacred institution of marriage and the promises the couple would be making to each other. Bishop Shaw asked Mike to pry himself away from Diane for a moment and to take his other special lady into his arms. Mike picked up his daughter and hugged her tight. Dan spent the next few minutes talking directly to Victoria about her new family and her role in it. She liked the attention, and when he was finished she handed him some rose petals. Everyone laughed at her cute gesture. Mike squeezed his daughter again then set her back down and took his bride's hand. Diane gave her roses to Victoria for safekeeping.

Bishop Shaw administered the wedding vows and read a few verses from the Bible, emphasizing "What therefore God hath joined together, let no man put asunder." Mike and Diane exchanged rings, and the bishop pronounced them "Mr. and Mrs. Michael Kingston." The couple enjoyed another long kiss, and the audience applauded. Mike's mom wept tears of happiness that her son and granddaughter had a complete family again.

The photography session, luncheon, and reception were essentially a blur to Mike. Although he would have liked to have a clear memory of every detail of their wedding day, Mike was so caught up in his bride that it was hard for him to focus on anything else. But he would never forget one particular moment near the end of the reception.

▪

Mike broke away from the waning receiving line, shed his jacket and tie, and found Todd hanging out by the punch bowl. "What do you say we get this party rockin'?"

"Yes!" Todd hustled over to the sound system. He replaced the Mozart CD with one from the case hidden under the table, picked up the microphone, and announced, "May I have your attention please." He paused until the crowded hall became quiet. "The bride and groom have requested we play a special song to celebrate their nuptial and the Skins' victory over the Giants."

Mike and his friends from D.C. cheered.

Todd continued, “The new Mrs. K. thoughtfully selected this classic song to commemorate this solemn occasion. Hit the lights, Dad.” The lights dimmed, and Todd pressed play and shouted, “Rock and ROLL!”

Led Zeppelin blasted from the speakers. Mike and Diane and the younger members of the wedding party shouted and rushed onto the dance floor and started grooving to the pounding beat of “Whole Lotta Love.” Todd played air guitar like Jimmy Page to the gritty riffs. All but a few of the remaining guests rapidly joined in, until the whole gym was rocking. Even Victoria took her grandmother by the hand and had her swaying to the music.

When the song ended, Craig and Randy pulled Mike and Diane off the dance floor and over to a quiet spot of the gym. Grace and Laura huddled in close with the group, so they could hear over Aerosmith playing in the background.

“We wanted to get you something special,” Craig said, “to show you how important your friendship is and to help get your new life started off right.” He handed Mike a sealed white envelope.

The couple looked at each other and grinned. Mike slid his finger under the flap, carefully slit open the envelope, and pulled out an elegant, embossed wedding card. Inside he felt a single piece of heavy-stock paper. He glanced at Craig and Randy while he withdrew and unfolded a check. He looked down at the amount, dropped his jaw, and swooned as if he might faint.

Diane braced him. “What is it, honey?” She held one side of the check so she could see it and read:

Pay to the order of Michael and Diane Kingston \$250,000.

Mike had to read it two more times before he was sure he hadn’t misread one of the zeros. “What is this?” He looked at his friends with a confused expression. “We can’t accept this check.”

“Of course you can,” Craig answered with a proud smile.

Diane nodded in agreement and looked at her new husband.

“This is so much!” Mike’s mouth was still agape. “I don’t understand.”

“We told you we hit the jackpot in your Kidz Play case,” Randy said. “Think of it as your share of the fee if that helps. You did all the hard work.”

“Your generosity is overwhelming,” Mike said. He couldn’t find the words to turn down their bounteous gift, so he said yes and accepted it with profound gratitude and energetic hugs.

“Now let’s keep this party going,” Randy said and ushered everyone to the dance floor to rock out with Aerosmith.

“Faithfully” by Journey was the next song that started to play. Victoria was dancing with her two favorite guys, Uncle Todd and Uncle Craig. Mike cut in, scooped his daughter into his arms, and rocked back and forth to the melody. Diane sauntered up behind them, wrapped her arms around Mike’s waist, laid her head on the back of his shoulder, and whispered in his ear, “I’m forever yours.”

## SIXTEEN

Yellow crocuses and daffodils reached up through the thawing March ground for the long-absent warmth of the sun. Like the spring flowers, Mike and his budding family had put their concerns about adverse publicity behind them and were flourishing in the frigid world.

After returning from their ten-day Maui honeymoon, Mike had gone right back to performing his magic for the school district. His reputation flourished, so there were constant demands on his time. But he religiously adhered to his eight-to-five schedule. He had made a lot of money as a K Street attorney but at an enormous cost to his family. He would never put such a price on his family time again.

Now that they had settled into domestic life, Diane worked to add her imprimatur to their home—a modern three-bedroom, two-level brown brick house not too far from Grandma with lots of neighborhood children. By mid spring Diane had already redecorated the living room and family room. She kept Mike far away from the design centers because the tiger-striped ski suit forever tainted his fashion sense.

Victoria was right by Diane's side most of the time to kid-test the new furniture or help add color to the bland walls. Mike often found them, after a day of painting, with more color on themselves than on the walls.

Mike arrived home from work early one afternoon and found Diane and Victoria playing with a box of dress-up clothes. Victoria, outfitted in a ragged blue gown, ran to her father and jumped into his arms.

"Hey, sweetheart," he said, and squeezed her tight.

"Daddy, I'm Cinderella, and I get to mop the floors and wipe the cupboards."

"I see you found a way to make Victoria excited about housework," Mike called to Diane.

"We had a lot of fun today, didn't we, Cindy?" Diane said as Mike appeared around the corner. She was standing in the kitchen wearing a lace apron over an old-fashioned frock.

Mike raised his eyebrows and cracked a devious grin. "You must be the wicked stepmother." He set Victoria down and gave his bride a full-body hug.

Diane put her mouth up to Mike's ear and whispered, "If you only knew."

Mike tittered and shooed Victoria away from the "adult conversation."

"What are you doing home so early?" Diane asked.

"The superintendent sent me home to study for the Utah Bar."

"What?" Diane exclaimed.

"He wants to hire me as the attorney for the district after I get licensed in Utah."

"Fantastic! Will you get a raise?"

"I assume so," Mike said. "The superintendent wants me to work part time for the next few months, so I can study for the July exam. And the best part is that I'll only be expected to work the same regular business hours when I pass the bar."

"That's great news, honey." Diane threw her arms around Mike again and kissed him hard on the mouth.

To celebrate his impending promotion, Mike took his ladies to dinner at the Ogden Big Boy. Diane wanted a nicer restaurant, but Mike prevailed, explaining that Big Boy was a Kingston family tradition for special occasions. The restaurant conjured fond family memories for him but also deep anxieties as a fugitive from a high school prank.

On the roof of the restaurant was a large fiberglass figure of the trademark Big Boy character. One night when he was in high school, Mike and his buddies climbed onto the roof, painted make-up on Big Boy, dressed him in an oversized skirt and blouse, and took turns posing with him for pictures. A few days later, the boys drove past the restaurant, and the paint and

clothes were gone. They stopped in for a milkshake, and the wait staff was still buzzing about their cross-dressing Big Boy. Mike hadn't been back to any Big Boy chain in about fifteen years because he was certain he was on some Big Boy most-wanted list.

When the Kingstons arrived at the restaurant, Big Boy was in his usual place on the roof. Throughout the meal Mike glanced nervously around the dining room even though he knew no one could possibly link him to the incident. After dinner, Mike privately confessed his role in the prank to a very confused but amused manager.

On the ride home, Mike told Diane the story. She broke into hysterical laughter. He didn't know whether she was more amused that he dressed up the Big Boy or that he confessed the deed after fifteen years of guilt.

▪

Mike left the district office early in the afternoon the next day and went to the county library to begin preparing for the bar exam. He printed a membership application from the Utah State Bar website, found a vacant carrel in a study room in the basement, and began to complete the lengthy application.

He was routinely answering no to questions that asked whether he had ever been diagnosed with a mental illness, had ever been sued, or had ever been disciplined as an attorney. Then he advanced to question no. 45 and froze. His heart pounded as he stared at the question: "Have you ever been charged with a felony?" It hit him like a ton of bricks—*I could pass the bar exam and still be denied admission because I was accused of killing Helen*. He fought back the urge to indulge his self-pity again, disclosed the arrest, and moved on.

▪

The house smelled like a Sicilian kitchen when Mike got home that night. *Lasagna night*, he said to himself with a big smile. He rubbed his stomach in anticipation and recognized that marriage had put a few pounds on him, with delicious home-cooked meals every night and hot breakfast every morning.

Victoria saw her father come in, and she ran and jumped into his arms. Mike carried his daughter back into the kitchen and properly thanked the cook with a big kiss.

"How was your first day back at the books?" Diane asked.

Mike furrowed his brow. "The bar application asked if I've ever been accused of a felony."

"How can that affect you?" Diane handed some napkins to Victoria and steered her to the dinner table.

"Even though the charges were dismissed, the Bar could refuse my membership. Sometimes I feel like the m-u-r-d-e-r will haunt me forever."

Victoria kept setting the table, seemingly oblivious to the parent-speak. Mike and Diane went on to discuss the bar application and exam and the fun things Diane and Victoria had done that day. When they were finished eating, Mike cleared the plates from the table and began to rinse them in the sink.

"Let me do the dishes," Diane said.

"That's okay. I had a pretty easy day. Besides, you must work your fingers to the bone every day to keep the house as clean as you do. And you still have time to do your hair and nails. You're amazing."

“I just want to keep our home nice for you. Why don’t we do the dishes together?”  
“You’re so good to me.” Mike said. “I love you.”

▪

Mike continued to study hard for the bar exam at least three hours per day. He was confident that he knew the law well enough to pass, but he didn’t want to take any chances. He wanted to take the Utah Bar only once.

At last, the July test date arrived. The two-day exam taxed his patience and endurance more than his legal knowledge. When it was over, he strode out of the testing center confident with his performance.

After the exam, Mike felt almost relieved to return to his normal eight-to-five work schedule. Fortunately there was plenty of work to keep him from obsessing that he wouldn’t pass the background check if the bar investigators probed into the suspicious circumstances of the dismissal of the murder charges.

Mike began to notice that Diane was doing an expert job of taking care of the house and the family, but she didn’t appear to have many outside friends or interests. Even after she finished redecorating in early summer, she still spent most of her time working around the house.

He decided to bring it up one night as they watched the news. “Have you gotten to know some of the other moms on the street yet?”

“The women are friendly, but it seems they already have their own little playgroup.”

“Maybe you could invite their playgroup over here one day.”

“I suppose so. Why are you so concerned about this right now?”

“I worry that you might start to feel stifled.”

Diane snuggled into Mike’s chest. “Making you happy is what I like to do.”

He squeezed her tight and smiled. “It makes me happy when you’re happy, and it seems that you would be more happy if you had some outside interests.”

Diane grinned. “If that will make you happy.”

▪

At the end of church one Sunday in November, Mike walked down the hall to meet Victoria at her classroom, turned the corner, and came face-to-face with Wendy Johnson.

“Oh, hello.” Mike tried to act natural.

“Hi, Mike.” Wendy said.

“Victoria misses having you as her teacher now that she’s not in nursery.”

“She’s getting so big.”

“Tell me about it. She’s going through shoes faster than Kim Kardashian.”

Wendy chuckled and thawed the ice a bit. “How’ve you been?” She sounded genuine.

“Great. How ’bout you?”

“Oh, fine.”

Diane suddenly appeared around the corner. She scowled and narrowed her eyes at Wendy. Mike froze. He’d never seen Diane act so jealous before, and for all she knew, Wendy was just a church member.

“Daddy!” Victoria ran toward them and jumped into Mike’s arms, diffusing the tension.

Mike made an abrupt end to his conversation with Wendy, took Diane by the hand, tried to shrug it off, and marched out of the building.

A few days later, Mike arrived home from work to find Diane had colored her hair brown.

“What possessed you to do that?” he asked with a nod and a smile to disguise his concern.

Diane returned a pensive look. “I just wanted to shake things up a bit.”

“Most women would kill to have your golden tresses,” Mike said, and ran his fingers through her brunette locks.

“I can change it back to blonde if you don’t like it.” Diane folded her arms and turned away.

“Anyway it’s only demi-permanent color. It’ll fade in about six weeks.”

“Well, let’s just see how it grows on us.” Mike embraced Diane from behind and wondered to himself if she was intentionally trying to look like Wendy.

▪

“Working together, we’ll see to it that Kingston hangs. Let me know what you find in Utah.” Detective Jarek hung up the telephone and turned to his partner with a smug grin. “We just got that big break we’ve been waiting for in the Mike Kingston case.”

“I thought you quit stalking Mike months ago,” Detective Woods said.

Jarek ignored his partner’s remark and continued. “That was a big-shot New York attorney named Joe Leone. He represents Helen’s parents, and they’re gonna file a wrongful death lawsuit against Kingston. We’re sharing evidence, and I’ll get the pleasure of finally putting that guy away for good.”

“You’ve got to let go of your mistakes, Frank,” Gavin said. “Maybe the academy didn’t teach you old dinosaurs about the constitutional prohibition on prosecuting a guy twice for the same crime.”

“My job is to solve the murder,” Jarek responded. “Let the suits figure out whether he can be charged with a federal crime to get around double jeopardy.”

“Why, after all this time, are the Sinclairs interested in pursuing Mike?”

“Bob Sinclair recently found a picture on his wife’s smart-phone,” Jarek said. “Apparently she had a secret meeting with Mike and his daughter last year. Bob went ballistic and promised to crush Mike.”

“What makes Bob Sinclair believe he’ll have any better success than the commonwealth’s attorney?”

“Obviously, the burden of proof is much lower—preponderance of the evidence—instead of beyond a reasonable doubt. And they can show Mike had a motive. Bob says Helen was going to leave Mike and take their daughter. Helen supposedly kept a journal that should confirm her intent.”

“Why would she leave Mike?” Gavin asked. “They had a few misunderstandings, but from outward appearances they had a good marriage. No one close to Mike thought there was any chance he was having an affair.”

“Sinclair calls Kingston a country bumpkin,” Jarek said, “looking to take advantage of his wealthy in-laws.”

“Mike was a partner at an exclusive K Street firm. He didn’t need the Sinclairs’ money.”

“Everybody needs more coin, my naïve young friend. We find that journal, and we have a motive.”

“Where do you suppose you’re going to find it?” Gavin asked. “Mike moved out of that house long ago.”

“Joe Leone is personally trailing Kingston in Utah. He’ll let us know what he finds. I’ll talk to that attorney that packed up the Mystic Meadow house. I expect he’ll help us out as long as we don’t let on that we still like Kingston for the murder.”

“I think you’re nuts,” Gavin said. “But if you’re right, we’ll need to get the FBI involved.”

Jarek grinned. “The feds can have what’s left of Kingston after Leone and I are through with him.”

▪

The postman delivered a letter from the Utah Bar late in the afternoon on the Tuesday before Thanksgiving. Diane called Mike to tell him the news, and he rushed home from work so they could read it together. He didn’t get any further than, “We are pleased,” before he skipped to the punch line and shouted, “I passed!” His wife and daughter hugged him tight and smothered him with kisses.

Mike let out a deep breath. He had passed the background check. “Grab your coats, ladies,” Mike announced, “we’re going to Big Boy!”

▪

They pulled into the parking lot of the restaurant, and Mike noticed that a long black Lincoln, which had trailed behind them for several blocks, turned in after them. A luxury vehicle pulling into a family eatery seemed out of place. He kept an eye on the car as they walked into the restaurant, but he never saw the driver emerge.

The hostess seated them in a booth by the front window. Mike positioned himself so he could watch the front entrance.

“Now that you’re an attorney again,” Diane said, “do you think we could eat at a *nice* restaurant next time?”

Mike wrinkled his forehead, but before he could respond, a peppy young waitress approached their table. Her brown curls reminded him of Helen. The memory made him smile at the young woman, drawing a sharp look from Diane.

“Hamburger and fries,” Victoria announced.

The waitress grinned and handed Victoria a kid’s menu and some crayons. “My name is Bridget. Can I start ya off with something to drink?”

“I think we’re ready to order.” Mike tried to remain friendly but felt stifled by his wife’s reaction. He glanced at the familiar menu, and he and Diane ordered their usual selections.

The waitress headed to the kitchen with their order, and Mike’s attention was drawn away to a dark-haired man in an overcoat, coming in the front door. *The driver of the Lincoln*, Mike surmised. *He looks like a reporter*. The man sat down at the counter, ordered coffee, and glanced around the dining room. Mike turned his attention back to Diane before the stranger could notice he was being studied.

“What was that look you gave me?” Mike tried to keep his tone light to avoid a confrontation.

“What look?” she asked, giving him the same look again.

“When Bridget—the waitress came. You scowled at me.”

Diane folded her arms and furled her brow. “Why were you flirting with *Bridget*?”

“I wasn’t *flirting*. I was just being friendly.”

Diane gave him an icy stare. “Uh-huh.”

“I wasn’t flirting,” Mike said through clenched teeth. “Why are you becoming so jealous all of the sudden?”

Diane’s bottom lip began to quiver, and moisture gathered in her eyes. “You hurt my feelings when you disrespect me like that.”

Victoria colored her menu, appearing unaware of the charged adult conversation.

“I was just being friendly,” Mike said under his breath as the waitress approached with a tray of drinks. Diane and Mike watched each other in silence while the woman set two glasses of water on the table and a kid’s cup in front of Victoria.

Victoria readjusted her elbow to get a better angle for coloring and bumped her cup.

“You’d better move your milk, sweetheart,” Diane said with emotion carrying over, “so you don’t spill.”

Victoria looked up at her stepmother annoyed. “You’re not my mommy.”

Mike threw his head back and gasped. But before he could say anything, Diane stormed off to the ladies’ room.

“Wait, Diane!” He got up to follow but realized he couldn’t leave Victoria alone. He grabbed his daughter’s arm and followed after Diane. “You hurt Diane’s feelings.” His voice was soft but stern.

Victoria stopped in front of the restroom and placed her hands on her hips. “She said *you* hurt her feelings.”

Mike’s face reddened. “Just go in there and apologize,” he commanded, and guided his daughter through the bathroom door. He remained close by and occasionally glanced around the dining room to see if the man at the counter was watching or taking notes.

Diane finally emerged with Victoria nestled in her arms, both of their faces red from tears.

“Is everything okay?”

Diane sniffed. “We’re going to be fine.”

Victoria reached for her dad and clung to his neck.

“Great celebration,” Mike remarked.

Everyone had forgotten about the fight by the time they finished their dinner and hot-fudge sundaes. Mike glanced back at the counter while Diane cleaned the chocolate from Victoria’s face. The dark-haired man was sipping his coffee.

“Diane, have you ever seen that man in the long coat before?” Mike gestured toward the stranger.

Diane turned to study the man’s features. “I don’t believe so. Why?”

“I think he’s following us. He looks like a reporter.”

They donned their coats, walked to the front, and paid the check. The man didn’t flinch as they passed by and left the restaurant. Mike looked back several times as they strapped Victoria into her car seat and climbed into the Explorer, but the stranger didn’t come out.

Mike watched behind them through his rearview mirror as they drove away. About two blocks from the restaurant, he saw the black Lincoln turn out of the parking lot and fall in behind them. He couldn’t see the driver but only the orange glow from a cigarette. Mike drove under the speed limit to gauge whether the man was tailing them. The dark sedan remained about a quarter mile behind the Kingstons’ slow-moving SUV for miles. Mike’s pulse began to race. The last thing he needed was another reporter snooping around and raising suspicions about him again.

Mike slowed to a crawl when they were about a mile away from their street and pulled over to the shoulder, ready for a confrontation. He wasn't going to lead this guy right to their home. The Lincoln finally accelerated and sped around them and disappeared. Mike breathed a sigh of relief, at least for now.

## SEVENTEEN

Mike took the oath of admission to the Utah Bar the following Monday morning and officially moved into his new small office a few doors down from the superintendent. With furniture Mike found among the district's surplus property, his new workplace wasn't opulent, but once he hooked up his computer, it did have all the necessary tools, and Mike felt right at home.

He sat back in his chair and stared at the case files for the three lawsuits currently pending against the district. From now on, he would coordinate with the private firms handling the litigation and make strategic decisions on behalf of the district. Mike felt energized to be fully in the heat of the battle again.

He picked up some draft discovery responses that an Ogden firm had sent over for his review. The case involved a traffic accident between a school bus and a Cadillac, which reminded Mike of the reporter in the black Lincoln. *Why would the press have a sudden renewed interest in me? Has someone tipped the tabloids that I'm practicing law again?* He shook his head in wonder and went back to work.

▪

Diane was at home that morning packing up the Thanksgiving decorations to make room for Christmas. Victoria was in her bedroom having a tea party for her stuffed animals.

*Bam! Bam! Bam!* A firm knock came at the front door.

Through the narrow side window, Diane saw the dark-haired reporter standing on the porch. The Lincoln they'd seen following them was parked in front of the house. She considered, for a moment, ignoring him, but her curiosity and her desire to show him that he was wasting his time urged her to crack open the door.

"Diane Kingston?" The stranger spoke with a sophisticated New York accent.

She nodded.

"My name is Joe Leone. I have some important information for you." His voice was not threatening or demeaning.

"How long have you been following us?"

"About a week," he said.

Diane opened the door a little wider.

"Robert Sinclair has hired my firm to file a wrongful death action against Michael Kingston for killing Bob's daughter."

"You're an attorney?" Diane scoffed. "You don't seem very bright for an attorney if you think I'm going to help you sue my own husband."

"On the contrary. I'm here to help you by warning you about the danger Mr. Kingston poses to you."

"You think I don't know he was accused of killing his first wife?"

“How can you be sure he didn’t do it? If I were you, I’d be very suspicious about that prosecutor just dismissing the charges.”

“I know my husband.”

“You may come across something that convinces you otherwise.”

“Impossible.” Diane crossed her arms.

“Helen kept a private journal,” Leone continued. “She was going to leave him and take their daughter because he’d abandoned them.”

A look of concern crept across Diane’s face. “You’re just making that up to try and turn me against my husband.”

“You find that journal, and you’ll see. You may be in great danger.”

Diane remained cool. “There’s no question in my mind he didn’t kill Helen.”

“I hope for your sake you’re right.”

“I’d bet my life on it.”

“Thanks for your time.” Leone looked past Diane and said, “Hello, honey.”

Diane whipped her head around and saw Victoria standing at the edge of the living room with a confused expression. Diane panicked.

“Here’s my card,” the attorney said.

Diane snapped the card from his fingers.

“Give me a call if I can be of any assistance.”

“I’m sure that won’t be necessary.” Diane pushed the door closed and spun around to face her stepdaughter. “Victoria, how long were you standing there?” Diane forced a smile, but the gravity in her voice showed through.

“I don’t know,” Victoria said. She curled her bottom lip and started to weep.

Diane rushed over and picked up the girl. Victoria buried her face in her stepmother’s shoulder. “I’m sorry, sweetheart. You didn’t do anything wrong.” Diane rubbed the child’s back. “Do you want to help decorate the house for Christmas?”

Victoria looked up at Diane with a sad smile and nodded her head.

▪

Mike came home that evening electrified after his first day working as an attorney for the school district. He found Diane and Victoria in the kitchen, replacing all the ordinary dishtowels, placemats, and centerpieces with Christmas patterns. “Where did you get all this holiday stuff?” Mike asked as he hugged the two Santa’s helpers. “It looks like you rifled through every box in the garage too.”

Diane patted him on the chest. “Can you help us hang the outside Christmas lights?”

“I need daylight, so I’ll do it this weekend.”

“Daddy, who’s Helen?” Victoria asked.

Diane’s body stiffened.

“Helen?” Mike wrinkled his face. “She’s your mother. Why do you ask?”

“The man was talking about Helen.”

“What man?” Mike asked.

“Some salesman stopped by today,” Diane interjected.

“How’d he get Helen’s name?”

“I can’t imagine. I should have asked,” Diane said. “Hey, how was your first day back as an attorney?”

“It was fantastic. It’s great to be in the game again.”

“It would be nice if they paid you like an attorney.”

“The pay is fine. I’m glad to be doing the work I was trained to do again.”

“It has to be a fraction of your salary at BW.”

Mike squinted at Diane. “It’s a fraction of the hours, and that’s what’s most important.”

Mike lay awake in bed that night, obsessing about the not-so-subtle pressure from Diane to earn more money. And he couldn’t stop worrying about her recent jealousy. He tossed and turned, glanced repeatedly at his wife, who was dozing peacefully, and finally drifted into a light, restless sleep.

▪

**“ALL ARISE!” the bailiff, tall and broad as a grizzly bear, roars. His bushy orange hair and beard, like a lion’s mane, flow down his red tunic.**

**Dim candlelight casts flickering shadows on strange instruments of torture and religious symbols that adorn the stone walls.**

**The faceless, hooded jurors file in through the arched front entry. The hulking, orange attendant forces the iron door closed behind them.**

**“The heretic will face the jury,” a weathered, gray-haired Methuselah in a black robe cackles from the raised dais.**

**All heads leer at Mike, who is shackled at the ankles and wrists and standing at a rough-hewn table before the judge.**

**“Guilty. Guilty. Guilty.” The hooded jury chants.**

**“I sentence you to life without parole cleaning urinals,” the judge commands.**

**“I didn’t do anything!” Mike begs.**

**Thundering footsteps from behind the iron door rattle the medieval fixtures. Boom! Boom! Boom! Mike can hear the deep, guttural wheezing and smell the putrid odor of his old dark enemy. The heavy iron panel creaks open, and the gruesome beast with fiery eyes emerges from the shadows.**

**“Guilty. Guilty. Guilty.”**

**“What did I do?” Mike cries out and claws at the coarse table as the bushy bailiff drags him by the neck toward the advancing black behemoth.**

**Boom! Boom! Boom! The footsteps shake the chamber.**

▪

“I didn’t do anything!” Mike yelled.

“Michael. Wake up!” Diane shook him.

Mike sat bolt upright in bed. His breathing was rapid and shallow, and his face was wet with terror. “Diane!” He turned with a start and found his bride sitting next to him.

“I’m right here,” she said, and caressed his neck.

“I had a terrible nightmare.”

“I could tell. You were scratching at the blankets.”

“I didn’t— You’re okay, right?” He eyed her up and down.

“Yes. I’m fine. Now lie down.” She slid back into the soft bed and guided his head onto her shoulder.

*Here we go again*, Mike thought and eventually fell back asleep nestled in Diane's arms.

▪

The dark-haired stranger in the overcoat brazenly followed Mike into the courthouse later that week. The man sneaked into the back of the courtroom and listened while the school district's outside counsel argued a motion in the bus-accident case.

The next morning Mike told Diane that the reporter was spying on him and "Julie" in court. Diane's eyes narrowed, and she snatched her purse off the counter, stomped into the master bedroom, and slammed the door.

Mike didn't know what set her off this time. He figured he shouldn't have mentioned that the other attorney was a woman, and he just added it to the growing list of her recent irrational conduct.

▪

Diane glanced around the bedroom to confirm she was alone, then opened her wallet and withdrew the card for "Joseph A. Leone, Esq." She picked up the telephone, dialed the number, and took a deep breath.

"Law offices," a woman answered.

"I know Mr. Leone is in Utah. I need to know where he's staying. I've got something to give him."

▪

As promised, Mike headed outside Saturday morning to hang the Christmas lights while Diane and Victoria went ice-skating with the neighbors. Given the way Diane was acting lately, he didn't dare break his promise.

Mike leaned the ladder against the house and went to the garage to retrieve the lights. He assumed that Diane had already found them because his neat tower of storage boxes had been razed and the cartons ransacked.

He didn't see the lights sitting out, and he didn't find them when he glanced in the top of each open container. Two more closed boxes sat in the corner of the garage. Mike grabbed a utility knife, slit the packing tape on the first box, and opened the flaps.

He could see right away that the Christmas lights were not in that box, and he was about to close it when something caught his eye. There was a small glass display case filled with dried flowers—a red rose from Diane's wedding bouquet and the pink rose he gave to her at LAX on their first weekend trip. *How romantic*, Mike thought, *that she would save these special flowers*. It meant he'd better get more flowers for her soon.

Beneath the flower case, as he probed deeper into the box, was a collection of press clippings about his criminal prosecution and hard copies of the e-mails he and Diane exchanged while they were dating cross-country. He felt below the printouts and pulled out a gallon-sized Ziploc bag containing old airline ticket stubs, Disneyland passports, restaurant matchbooks, and other mementos from their weekend trips. Mike's face flushed as he gained greater insight into the recent jealousy by his sentimental bride. There remained at the very bottom of the box a bulky, letter-sized, yellow clasp envelope. He couldn't imagine what special items she had stored there.

Mike straightened the brass prongs and lifted the flap. He took the lid from a nearby bankers box and found the Christmas lights peeking out from under a dish towel. But he was too interested in the envelope to stop now. He turned the lid upside down on the concrete floor and tipped the yellow packet into the makeshift tray. A small leather-bound book landed with a thud on the cardboard. He gently shook the parcel and spilled some tube-shaped articles and two metal objects jingling and bouncing into the lid. The book drew his attention first. He picked it up, cocked his head, and stared through squinted eyes at the cover. *Helen's book. Where did Diane get it?* Mike's jaw dropped. He snatched the metal objects, and held them up close for examination. His body froze. The articles slipped through his paralyzed fingers and bounced onto the frigid concrete.

His mind reeled, and the color drained from his face. His bundled frame began to tip, and he slapped his fist against the wall to brace himself. He gathered the items back into the lid and flipped through them with nervous fingers to confirm he wasn't dreaming, then buried his sweaty face in his hands in the greatest agony.

The objects were Helen's voice calling from the grave, revealing the truth about the murder, and Diane had been hiding them.

The realization of Diane's betrayal turned Mike's agony to rage. *There can be only one reason she kept this stuff. How could she do this to me?* He clenched his fist and ground it into his palm. *I feel like strangling that woman!* Despite his fury, he took a few deep breaths of the wintry air and tried to collect himself before he did something that wasn't well thought-out.

A thousand questions immediately besieged his mind. *What if Diane sees that I was going through her private things? She would have to know I found the yellow packet. But I can't just put the envelope back and pretend I don't know. And what about Victoria? What if she discovers the truth? Just when I thought Helen's death was behind me and life was getting back to normal.*

At last he knew there was only one thing he could do, what he must do. But his love for Diane had grown so deep, he didn't truly know how he could bring himself to follow through with the plan. It was the only way he and Victoria could ever have a life again, so he resolved to do this most difficult task for his daughter.

Mike struggled to think clearly, but he knew he had to take the items from the yellow envelope and conceal any sign that he'd opened the box. He couldn't let Diane suspect that he'd discovered the evidence she'd hidden. He stuffed the book into his oversized coat pocket, then checked his watch. Diane and Victoria would be home in about forty-five minutes. His pace became frantic as he snatched the objects from the box lid and shoved them in his other pocket. He ran into the house and found an old book resembling the dimensions of the hardcover in his pocket. He rifled through the junk drawer in the kitchen and found other small articles that he placed in the packet until, from the outside, the parcel looked like the evidence he had seized. Mike secured the clasp of the envelope and shoved it into the bottom of the box. He resealed the flaps with similar packing tape, so he could tell if Diane opened the carton and found the counterfeits, and positioned the box back into place.

Mike checked the time again then grabbed the bundle of Christmas lights and a staple gun. He worked feverishly to hang the lights, but he couldn't keep his mind from being drawn to the secret packet. *Why has she kept the evidence? Perhaps she thinks the spousal privilege will bar one spouse from testifying against the other, even in a murder trial. But the items from the packet wouldn't be covered by the spousal privilege and could be the only evidentiary link to the murder.*

Diane's car turned into the driveway just as Mike finished tacking the last strand to the roofline. He scampered down the ladder while the BMW sat idling, and he rushed into the garage to clear some storage boxes from her parking space. *Now stay cool.* He let out a deep breath and sneaked a quick glance at the secret box to confirm it looked undisturbed as the sedan rolled within inches of it. He yanked off his leather gloves and started to stuff them into his coat pocket when he realized the book and other evidence from the box were still there. Panic shot through him. He clenched his teeth and stifled his anxiety behind a tight grin.

Diane popped out of the car. "The lights look beautiful, honey." She held her arms open and leaned toward him.

"Thanks." Mike bent his torso like the Tin Man and gave her a mechanical hug to keep his loaded pockets far away.

Diane gave Mike a crosswise look. He quickly turned away, opened Victoria's door, and lifted her out of her car seat.

"Hi, Daddy." She wrapped her arms around his neck.

"Hey, gorgeous. Did you have a good time ice-skating?" He positioned Victoria to block Diane's view of his bulging parka.

"I fell a lot."

"Well, you're just in time to help me do the honors." He whisked her over to the outlet on the front porch, grabbed the extension cord, placed Victoria's hand on top of his, and plugged in the lights. The lip of the roof burst into a dazzling display of colors. They stepped off the porch for a moment and gazed up at the spectacle.

"It's wonderful, Daddy!"

"Let's get you inside where it's warm." Mike carried Victoria through the garage and into the house while Diane grabbed her things from the car.

As soon as Diane was inside and her coat was hung in the closet, Mike headed for the door again. "I'll be right back—just need to put the ladder away." He ran and grabbed the ladder and flung it up on its hooks. *Quick, where can I hide the evidence?* His eyes darted around the garage. He felt in his pocket for the small objects and came across his work gloves. Without thinking, he stuffed the small articles into the fingers of his gloves, ran to the workbench, threw the gloves and the book in the back of the top drawer, and concealed them with an oily shop rag he hoped Diane wouldn't touch.

"Honey."

He turned with a start and saw Diane in the doorway. *What had she seen?* "Yes?" he said, trying to appear innocent.

"Won't you need your gloves to shop for a tree?"

Mike pushed the drawer closed. "Oh, we can't shop for a tree tonight. Helen's mom is in Salt Lake. She called and begged to see her granddaughter. It's been a long time, so I agreed to let Victoria stay with her for a few days. I told her I'd drop Victoria off this afternoon."

Diane wrinkled her face. "I thought you hated Helen's parents because they tried to take Victoria away."

"Just her dad," Mike answered. "I reckon her mom shouldn't suffer just because she married a jerk. And it's not fair to Victoria. She used to have a great relationship with Nana Sinclair. Would you mind helping her pack some clothes?"

"Well aren't you afraid Mr. Sinclair will show up and take Victoria away?"

"Mrs. Sinclair swears she told her husband that she's visiting her sister in Dallas, and I believe her."

“Well, okay. How many changes of clothes does she need?”

Mike breathed easier. “About three days.” He followed Diane back into the house and lowered his voice so his daughter couldn’t hear. “Don’t tell Victoria. I want it to be a surprise.”

Diane disappeared into Victoria’s bedroom to help her pack, and Mike ran to the phone in the kitchen. He grabbed the handset, looked up a number in the phone book, and dialed. He watched the door to his daughter’s room until a voice answered.

“Hey, it’s Mike,” he said in a hushed tone.

“Mike?” a shocked voice responded.

“I have an emergency. I can’t explain right now, but can Victoria stay with you for a few days?”

After a brief pause, the callee responded, “Sure.”

“Thanks. There isn’t anyone else I can turn to. I’ll be there in about fifteen minutes.” Mike confirmed Diane was not watching and replaced the handset. He grabbed Victoria’s coat and appeared in the doorway of her bedroom just as Diane was latching the Scooby Doo suitcase.

“Ready to go?” Mike asked and helped Victoria put her coat on.

“Yep,” Victoria said. “Where’re we going?”

“It’s a big surprise,” Mike said.

Diane bent down and zipped up the tiny pink parka. “I’m going to miss you, honey.”

Victoria gave her stepmother a quick hug, reached for her suitcase, and trudged down the hall.

Mike shrugged his shoulders, knowing this would be the last time Diane saw Victoria. He gave his wife a halfhearted hug and kiss. “See ya in a couple hours.”

Diane returned a confused and hurt expression.

As Mike backed out of the garage, he breathed a sigh of relief that his daughter would not be home to again experience the loss of her mother.

Mike explained to Victoria that she was going to stay with a friend for a few days while he took care of something, but he would always be close by. Within a few minutes they had completed the short trip. Victoria ran to the front door, excited for her sleepover. The door opened, and she ran into the warm house.

Mike glanced over his shoulder as he explained to the friend how critical it was that Victoria not be seen anywhere for the next few days. He apologized for the enormous imposition, promised to explain everything as soon as he could, and dashed back to his truck.

He zigzagged along the country roads until he was confident no one was following, then merged onto the freeway. He wandered around aimlessly for hours, agonizing about what he had to do and plotting his next move. As he carefully considered his plan, he began to think for the first time about the aftermath. *The press went crazy before when it looked like I killed Helen in my sleep. I can’t even imagine how they’ll react when this story breaks. They’ll never leave me alone.*

No easy answers came, but after a few hours, he finally devised a scheme. Mike knew that he’d have to avoid arousing Diane’s suspicions and wait for the stratagem to unfold. It’d be hard enough to act natural around her, but the waiting would be almost unbearable. At least he knew Victoria was safe, and this gave him the comfort and strength to do what he needed to do.

The bank was his first stop to put the device in motion. He concocted a story about identity theft, and the friendly teller was happy to restrict all access to his and Diane’s accounts and to contact their credit-card issuers and put a hold on all their charge cards. With all their accounts

frozen, Mike said he needed some cash to carry him through until he sorted out the identity-theft issues. The teller hesitated only slightly before packing \$10,000 into a bank envelope.

As he drove back toward Plain City, Mike played the scenarios over and over in his head to ensure he'd considered all possible exigencies. The biggest risk was Diane's discovering the plot before his accomplice arrived. Freezing the accounts would make it harder for Diane to get away from him, but he still needed a contingency plan. The mall was his next stop.

Mike found the gift-wrap booth near the food court and bought a fancy gift box and filled it with tissue paper. Then he purchased a new prepaid cell phone and called Todd.

"Hey, Todd," Mike said when his buddy answered. "Does your dad still have that collection of handguns?"

▪

Todd met Mike at the door thirty minutes later decked out in a woodland camouflage outfit. "What're we hunting? You got a critter in your trash?"

Mike forced a smile. "No. I'm just looking for something for *self-defense*. Some guy has been stalking us for the last few days, and I'd feel safer with a weapon in the house."

"I've got just the piece for you." Todd removed a pistol from his holster and handed it to Mike. "This is a Beretta 92F semiautomatic double-action pistol with a ten-round magazine. This baby's got stopping power, guaranteed to bring down any intruder."

Mike hadn't shot a gun since he was a Boy Scout, but after Todd explained the operation and safety features of the autoloader, he was confident he could aim and shoot if necessary. Todd packed the weapon in its case, together with an extra clip of ammunition, and sent Mike on his way with the admonition to "go get that S.O.B."

Mike's last stop was a media store where he bought two DVDs to fill the evening, so he wouldn't have to talk to Diane. He tarried in the Explorer before going into the house, loaded the magazine into the Beretta, stashed the pistol in the gift box, and hid the gun case under his seat. When he went inside, he announced to Diane that he'd done some Christmas shopping. He wrote Diane's name on the box with a "Do Not Open" sign on it, stashed the package under his side of the bed, and tried to stay cool while they spent the rest of the night watching movies.

▪

Mike lay awake that night, waiting and listening. He remained still and took heavy relaxed breaths to feign sleep although his mind was fully alert, obsessing about the details of his scheme.

He agonized for hours before Diane appeared to be dead to the world beside him. *Time for action*, he thought. He slid off the mattress with great care to avoid waking her and sneaked into the master bathroom. After a few minutes of quietly rifling through the drawers and cabinets, he emerged with an old pill bottle. Diane stirred and rolled onto her side facing Mike, and he froze. His pulse quickened, and his breathing became shallow. Adrenaline coursed through his body as he anticipated having to dive under the bed for the Beretta if she should awaken and discover his scheme.

A few moments later Diane was breathing deeply again. Mike quietly grabbed the gift box with the gun, as a precaution, and scurried down the hall while trying to maintain his stealth. He stepped into the garage and carefully closed the spring-loaded door. The icy pavement froze his

bare feet as he hopped over to the workbench. The evidence in the top drawer appeared to be just as he'd left it, and he removed the book and work glove into which he'd stuffed the other items. He quietly opened the back door of the Explorer, unlatched his briefcase on the seat, and placed the pill bottle, glove, and book inside the case next to the thick envelope of cash. He latched the briefcase and shuffled the dials. He then tiptoed into the house and back to the bedroom as swiftly as his frigid feet could carry him without making any noise.

Diane was in the same position and appeared to be resting peacefully as Mike placed the pistol back under the bed. He held his breath and slid under the covers without shaking the bed and lay as still as a corpse, listening for Diane to awaken. His feet were numb, but the only movement throughout his rigid frame was his pounding heart. Diane did not stir. Mike knew he needed to stay mentally focused for a few more days to carry out his plan and maintain the element of surprise, but the betrayal of his wife continued to torment him and precluded any sleep despite his exhaustion.

When daybreak finally arrived, Mike dragged his weary body out of bed, taking care again not to disturb Diane. After a hot shower and a quick breakfast, he felt alert enough to drive.

Diane was still asleep, which was a huge relief. He didn't want to spend any more time with her than necessary to avoid raising her suspicions before the *denouement*. He penned a short note explaining that he had to run to the district office and that he would meet her at church, left the message on his pillow, and dashed to his truck.

As he backed out of the garage, he looked over his shoulder and glanced down at the briefcase on the seat. It hadn't been disturbed. After a few glimpses back at the house, which remained dark and still, he headed for the office.

Mike could breathe a little easier now that he'd successfully smuggled the evidence out of the house. But his body still quivered as he approached the point of no return.

▪

The district office building was quiet and dark. Mike slipped inside, bolted the door, and peered, through the foggy windows, at the parking lot and grounds. No one seemed to be following him. He grabbed a Federal Express mailer from the supply room and pulled his office door closed. He wanted to ensure his privacy even though no one ever came into the office on Sundays.

Mike hung his parka over the back of his chair and placed the briefcase in the center of his desk. Like a safe cracker, he deliberately turned each dial to line up the combinations. The latches sprang open, and he propped the lid. He carefully removed the pill bottle, work glove, and book. The leather glove, still rigid from the cold, released its contents clanking onto the desktop. He studied the book and articles again, but their meaning was clear, and they could not have found their way to Diane's box by mistake.

Mike locked the items in his desk drawer, picked up his new cell phone, and dialed a long-distance number.

"Hello," a man's voice answered.

"It's Mike. I'm sorry," he said in a grave tone, "but I have to drag you into my dirty work again."

"How can I help?" the man asked.

"I can't talk because someone might be listening. I'm sending you a package by FedEx."

"I'm on it as soon as I get the package. Will we talk again?"

“It’s too risky. You’ll know what to do. Involve your blonde friend.” There was a long pause. Only the sound of Mike’s shallow breaths could be heard through the receiver. “Thanks.”

Mike ended the call and filled out the shipping label for the package. He then took a black felt-tip from his desk and wrote “Diane” across the pill bottle.

The district office had a FedEx drop box, but the next pickup wasn’t until Monday afternoon for Tuesday delivery. Mike had to get the parcel delivered as soon as possible. He called Federal Express customer service, and the representative happily explained that they could deliver his package anywhere in the country that evening using a commercial carrier, and he could drop it off at the service center in Riverdale.

Mike then opened the envelope of cash, counted out a number of hundred-dollar bills, packed up the mailer, and sealed the package. He locked the parcel back in his briefcase, grabbed his coat, and headed across town.

▪

Mike warily approached the entrance of the shipping center, clutching the packet close to his chest and cautiously glancing around at the vacant premises and empty streets. A friendly young woman with a FedEx uniform met him at the door with a smile.

“Welcome to FedEx,” she said.

Mike clutched the package tighter and bit his bottom lip as he followed the associate inside. “This has to be there as soon as possible.” He handed the parcel to her, and she walked behind the counter and withdrew some forms from a drawer.

“Absolutely. I can have it there tonight.”

“That’s great” Mike said and laid some cash on the counter for the fee.

The woman completed the paperwork and gave him change from the shipping charge. He watched with great interest as she placed the packet by itself in a bin marked for same day delivery.

“Thank you for using Federal Express.” She smiled again and handed Mike his tracking slip.

“Thanks.” Mike’s tone was somber. He crumpled the receipt and tossed it in the trash, so Diane wouldn’t stumble upon it. He eased around, and after one last look over his shoulder, he sauntered back to his SUV.

▪

When the Explorer was almost out of sight, plodding north toward Plain City, a long black Lincoln pulled into the parking lot of the shipping center.

▪

Mike slid into the pew next to Diane as the congregation sang the opening hymn. He could tell by her icy reception and deeply furrowed brow that she was troubled by his recent conduct. He placed a cold arm around her shoulder, like a Band-Aid on the severed artery of their relationship.

The rest of the day passed as slowly as the last day of school—three hours of church meetings, the afternoon football game with Todd, dinner at his mom’s. He avoided being alone with Diane as much as possible and tried to appear cool so she wouldn’t suspect something was

coming. When they finally went home that evening, Mike ensconced himself alone in the living room and read the thick Sunday paper.

Late in the evening, Diane interrupted Mike's solitude. She approached him, her eyes downcast, and asked, "What's gotten into you today?"

"Is something wrong?" Mike asked. He set down his paper and tried to appear as if everything was okay.

"You've been acting very strange lately. Yesterday morning you looked like you'd seen a ghost, then you immediately took off to meet Mrs. Sinclair and came home grumpy and distracted."

"I've just got a lot on my mind."

"I know I've left the house cluttered lately after decorating for Christmas," Diane said.

"Huh?" Mike asked. "The house's been fine."

"I can cook more often . . ."

"There's nothing wrong with your housekeeping or cooking." Mike struggled to maintain his composure.

Diane wrapped her arms around herself, and her face looked frightened. "You're leaving me for another woman."

"No!" Mike exclaimed then immediately hushed himself. "No. What on earth gave you that idea?"

"You've been so distant lately." Diane wiped the moisture from her eyes. "And then you were gone so long last night and this morning. It's like you're trying to get away from me."

"I just miss Victoria," Mike said. "It kills me to be away from her."

"You seem to be taking it out on me. It's not like *I'm* trying to take Victoria away from you," Diane said. She cocked her head and squinted at Mike.

"You're right. I'm so sorry, honey," Mike said in a reassuring tone. "I'll be fine in a few days. I promise."

Mike lay awake most of the night again, too anxious to sleep. He rehearsed the plan over and over in his head and considered every possible contingency. He obsessed regarding Diane's curious questions and hoped she didn't get spooked and run. Exhaustion eventually prevailed, and he awoke at sunrise after a few hours of dreamless sleep. Diane remained in a peaceful slumber next to him. Nothing had happened yet.

Mike rolled out of bed and cautiously checked on the pistol, which had not moved. After he took a quick shower and dressed, he gently awakened Diane.

"Good-morning, honey," she said in a drowsy voice.

"Hi, sweetheart," Mike responded with a painted-on smile. "Sorry I had to wake you. What's on your schedule today?"

"Baking Christmas cookies for the neighbors," Diane said.

"I have a ton of things to do today," Mike said, "so I probably won't be home before you go to bed."

"What happened to not letting work interfere with your family?" Diane asked.

"I promise this will be the last time you wait for me to come home late from work." Mike blew Diane a kiss with a glassy-eyed stare and escaped out the door, confident that she wouldn't discover the frozen accounts and run before it was too late.

Mike took a short detour that morning to see Darren Jacobs, an Ogden lawyer who was representing the district in an employment lawsuit. It wouldn't look suspicious for Mike to meet with the attorney, even if he was followed.

Darren said he was hurrying to prepare for a court hearing in another case, but he was never too busy for his “favorite client.” Mike explained that he was just driving by and stopped to see if Darren knew any local family-law attorneys. Darren coincidentally shared office space with another lawyer who specialized in criminal and family law.

*Perfect.*

Darren was wise enough and busy enough to not ask any questions about why Mike needed a family lawyer. Darren simply introduced Mike to his officemate and went back to preparing for his hearing.

Mike met privately with the family law attorney for about twenty-five minutes, discussing some sensitive legal issues for a “close friend whose wife was leaving him.” Mike knew that his conversation with the attorney was privileged, but he still discussed his questions as scholarly hypotheticals without any names or details. The attorney also briefly touched on the basic rules for the spousal privilege, before he had to leave for a 9:00 meeting.

Two blocks from the lawyers’ office Mike noticed, in his rear-view mirror, the familiar black Lincoln. The long sedan filed behind his plodding Explorer a safe distance, and Mike groaned. *I can’t have this guy following me. I’ve got to get rid of him before he gets suspicious and tips off Diane.*

Mike turned into the 7-Eleven store at the corner of the next block, pulled up to a gas pump, and started dispensing fuel into his tank. The Lincoln drove in moments later and parked in front of the convenience store. The driver sat in his car, watched Mike from his side-view mirror, and kept the engine running.

Mike finished pumping the gas and walked toward the store. But instead of heading for the entrance, Mike made straight for the Lincoln and banged on the driver’s window.

The power window rolled halfway down to reveal the same husky man he’d seen in the restaurant and the courthouse. The man wore a fine black suit and sported a confident grin that caught Mike off guard.

“Why are you following me?” Mike demanded through clenched teeth.

“I can’t talk to you,” the man responded, remaining cool.

“What do you mean you can’t talk to me?” Mike sounded like a man on the edge.

“Now that you’re represented by counsel, I can’t ethically talk to you.”

*He’s an attorney not a reporter! That explains the suit and the arrogance. What does he mean that I’m represented by counsel? It means he saw me stop at Darren’s office and someone is starting legal proceedings against me. But who could it be? I’ve got to think fast and stay cool.*

“At least you could show me the professional courtesy of giving me your business card,” Mike demanded.

“I guess that couldn’t hurt.” The man reached for the passenger’s side and stashed a blue and orange parcel under his overcoat on the floor.

*Is that my FedEx packet? It couldn’t be.* Mike’s knees started to shake, and his breathing became shallow. He craned his neck for a better look, but the thick package was hidden. *FedEx wouldn’t let this guy intercept my shipment. If only I’d kept the tracking number.*

The man grabbed his leather billfold, removed a business card, passed it to Mike, and quickly rolled the window back up.

“Now stop harassing me!” Mike yelled through the diminishing window space, “or you’ll wish we’d never met!”

He studied the business card and tried to calm down as he marched back to his Explorer. *Joseph A. Leone, Esq., of Salvatore & Leone. That firm represents Bob Sinclair.* Mike slammed his SUV door shut and stared as the Lincoln disappeared from sight.

When Mike arrived at the district office, he told the receptionist that he shouldn't be disturbed, then marched into his office and pushed the door closed.

He logged on to his computer and searched for Bob Sinclair's phone number among his old contacts. He snatched the receiver and punched in the number.

"Mr. Sinclair's office," an irritated woman answered.

"This is Robert's attorney," Mike was breathing heavy. "It's an emergency."

Mr. Sinclair's gruff voice answered only seconds later. "What is it, Joe?"

"You don't know what you're getting into," Mike said in a menacing tone.

"Mike?" Mr. Sinclair snapped back.

"There's no evidence that I killed your daughter, and there never will be!"

"You listen—"

"You have no idea what I'm capable of," Mike snarled. "Here's some *free* legal advice. Call off your mercenaries unless you're ready to fight a very *bloody* war!" He slammed down the phone, sprang out of his chair, and paced around his office. *Sinclair and his attorney are going to jeopardize my plan. And what if they've figured it out and tip off Diane? I might have to take action myself.*

After several minutes thinking and deep breathing, Mike was finally able to calm himself down. He settled back into his chair and contemplated what he could do to occupy his time and engage his obsessed mind for the rest of the day, since he was trapped in his office.

Mike checked his e-mail for anything important, but he found only spam. He went to turn on a CD but wasn't in the mood to listen to music. On top of his stack of pending projects was a discovery motion to review for the bus-accident case. He picked up his red pen and started marking the papers. But he soon found it impossible to concentrate on the technical legal arguments with so little rest the night before and with Diane's betrayal dominating his every thought. Complete exhaustion soon overcame him, and he surrendered to sleep.

▪

*Bang! Bang! Bang!* A knock came at the door.

Mike jerked his head and awoke. "Just a second." He took a napkin from his desk drawer and mopped up a puddle of saliva he'd drooled on the document he was editing, leaving a sea of red smeared ink. He ran his fingers through his matted hair then flung open the door. The superintendent stood in the entry, holding a thick stack of papers.

"Hey, Mike." The superintendent charged into his office. "It's becoming a Christmas tradition in Weber County. Every year you can count on at least one local church setting up a nativity scene on school property and the American Civil Liberties Union filing a lawsuit against the district to stop them. Can you work your magic with the church group?"

"Sure. I'll take care of it."

"I can always count on you," the superintendent said, and rushed off.

Mike pushed the door closed again, sat down at his desk, and started studying the new ACLU complaint. But trying to accomplish anything was futile until he could extricate his traitorous wife from his life. He would have to be patient, however, and wait for his accomplice to act, which he expected would be tonight. But the waiting was driving him almost to madness. He

didn't feel like eating. He couldn't work. And the voices in his head seemed almost deafening. *How could Diane have done this to me? She deserves what she gets—it's justice, not revenge.*

He dropped his troubled head on his folded arms on the desktop and eventually trailed off to sleep again.

▪

*Rrrring!*

The telephone startled Mike, and he rubbed the fatigue from his eyes. He knew he must have slept until the receptionist went home and finally let his line ring through. He thought it could be Diane calling to check up on him, so he answered just before the call went into his voicemail.

It was the school district's attorney from the bus-accident case looking for Mike's comments on the discovery motion. He thought of the red-smear papers and concocted a story to beg an additional two weeks to review the motion.

Mike glanced at the clock. It was just after 5:00 p.m.—too early to go home and maintain his poker face the rest of the evening. He hadn't had anything to eat all day, and he felt weak and light-headed. He would need his strength and figured he'd better find some food to keep his energy up. All he had in his desk was a stale granola bar and a stick of chewing gum. He didn't want to leave the district office in case Diane called, so he wandered over to the break room to see what he could find. The workday had just ended, and the entire building was already dark and vacant. He bought a bottle of Coke and two Snickers bars from the vending machines and went straight back to his office.

While he devoured his snacks, Mike scanned his e-mail. Among the spam and district announcements was a message from the receptionist directing him to call the Ogden City Police about a car accident. He assumed it related to a collision involving a district vehicle, and he would deal with it later.

Mike's thoughts turned to Victoria. He hoped she was safe, but his old paranoia wouldn't let him risk a visit. He worried that losing her stepmother would crush Victoria, but he needed to eliminate Diane from their lives before Victoria discovered the truth about her mother's death.

He still had a few hours to kill before he could go home and face Diane, knowing this must be their last night together. The dominoes had already started to fall. The only thing to do now was to wait in silence, if possible, for the last piece to topple, and to prepare for the aftermath. He couldn't sit still. He had to do something, anything. There was only one productive thing his obsessed mind would permit him to do—research defenses to murder.

▪

At last it was after ten o'clock. Mike couldn't wait any longer. For the last half hour he wasn't even capable of focusing on the criminal-law research and was instead wandering around the office, talking to himself, and stringing paper clips. He grabbed his coat and car keys, took a deep breath, and headed out.

Light snow began to fall as the Explorer ambled toward home. The somber attorney watched the snowflakes dance in the headlights to the rumbling hum of the engine, resurrecting memories of his romance with Diane—their date on the ski slopes, the afternoon they spent sledding with Victoria, and even their wedding day. Cold reality, however, quickly eliminated these warm thoughts, which were now mere distractions from the task at hand.

Mike suddenly realized that he hadn't spoken with Diane all day. He wondered as he cruised the last mile if she'd discovered his scheme and had already fled. He would know soon enough.

The SUV continued to crawl as slow as a funeral cortege along the winding, back-country roads until at last it arrived, safely sheltered in the dry garage next to Diane's sedan. He opened the car door and expelled a deep frosty breath. He checked Diane's secret box. There was no sign of tampering.

He crept inside as silently as a burglar. Only a faint light from the master bedroom illuminated the shadowy interior. An eerie silence permeated the house. He laid his coat across the back of the couch and slunk to the master bedroom. Diane was asleep in bed, sitting up with a romance novel lying open across her chest. She couldn't escape now.

Despite Mike's stealthy entrance, Diane slowly roused from her sleep. "Oh, hi, sweetheart." She closed her book and placed it on the nightstand.

"Sorry I woke you." *Sorry I had to face you awake.*

"I tried to wait up for you," Diane said, sounding half-asleep. "Did you accomplish everything you wanted?"

"Not yet." Mike fumbled with the buttons on his shirt. "Go back to sleep."

Diane reached for her bedside lamp and switched off the light. "I've missed you, honey. Hurry to bed okay," she said in the darkness then rolled onto her side and snuggled into the warm down comforter.

Mike's bedtime routine was deliberate that night while Diane rested peacefully in the next room, unaware of her impending doom. He changed into his pajamas and hung his work clothes neatly in the closet. He washed his face, brushed and flossed his teeth, and applied Visine to his tired eyes. At last, he made a quick check on the pistol, turned off all the lights, and eased into bed.

Mike lay motionless on his back, eyes wide open, waiting and listening. Diane wriggled around and slid her arm across Mike's chest. Superficially happy memories of their papier-mâché relationship invaded his head with premature guilt and regret. He could almost hear Diane pleading with him—how loyal she'd been and how they were in this together. But Mike was convinced that she had just been manipulating him from the beginning to fulfill her twisted dreams about romance. He wouldn't be fooled again. She had to go.

Mike grew weary as the battle in his mind continued to rage. He flailed in the bed, fighting to stay awake, but fatigue engulfed him and eventually lulled him to sleep.

▪

"Someone's life is in danger!" Detective Jarek exclaimed to the Weber County Deputy on duty for the graveyard shift. "We just got in from Virginia on the redeye. You wake the sheriff!"

The deputy scowled at the two detectives and the attorney who accompanied them, deriding their East-Coast pretentiousness. He sat up from his reclining position, reached for the phone, and pressed Sheriff Parker's mobile number on the speed dial. "I'll call him, but he can't issue a warrant. You need a magistrate for that."

"Sorry to disturb you," Detective Woods said, his brow furrowed and his voice rising in frustration. "I'm sure you know the magistrate to call at this hour."

The deputy glared at the three men and made the phone calls.

▪

Mike and Diane both slept soundly. She lay on her side taking deep, rhythmic breaths. Mike was on his back, flickering his eyelids and mumbling something unintelligible.

▪

“Mr. Kingston put this package together?” Judge Olsen asked, gripping the blue and orange FedEx packet in his aged hands. He scanned the grave faces of the two detectives and the attorney, who were joined by Sheriff Parker and his deputy around the judge’s kitchen table. The magistrate was semiconscious, but he seemed to immediately recognize the danger.

“On Sunday,” the attorney responded. “As soon as I realized what it was, I immediately contacted the Fairfax County detectives who handled the investigation.”

“And here we are,” Jarek added, “to ensure the case is bullet-proof this time.”

Judge Olsen scanned the Virginia demand for extradition and the Utah arrest warrant. “Where’s Mr. Kingston now?” he asked as he borrowed the deputy’s pen and hastily scribbled his signature on the warrant.

“Probably home in bed pretending everything is normal,” Detective Woods replied.

“You’d better get there now,” the judge advised, “before we have another murder on our hands.”

Sheriff Parker snatched the warrant from the table. “We’re on it.” He rushed out the door, and the other men followed.

▪

**Imprisoned by the dense tropical foliage, Mike crouches in fear. He gulps in a chestful of the hot, thick air and wipes his brow with a filthy shirt sleeve. His eyes dart back, and forth searching for the black monster that’s come back to haunt him. He is alone—no apparitions, no junior high girlfriends, no Victoria—completely alone.**

**Clang! Behind him the beast fells a palm with a razor-sharp saber. Mike bolts from his blind and runs frantically through the thick vegetation. A large moss-covered log lies directly in front of him. At a dead run, he leaps upon the fallen tree, but his feet slide off the slick log, and he is catapulted forward, tumbling headfirst into a heap on the lush, green carpet below.**

▪

“Can’t you drive any faster?” Detective Woods implored Sheriff Parker as they sped over the icy roads. The deputy followed close behind in his cruiser.

“If I go any faster, we’re likely to slide into an irrigation ditch and wind up dead ourselves.” The sheriff spoke in a calm but authoritative voice.

“But, Mike—”

“You East-Coast city boys,” the sheriff interrupted, “don’t know a dang thing about driving in the snow.” He flipped on his siren and flashing lights to warn the snowplow that waited at the approaching intersection.

▪

**Mike jumps to his feet and brushes off his tattered clothes.**

**Ching! The monster's blade splits the log behind Mike and showers splinters upon him, striking terror throughout his trembling body. Mike shoots like a runner from the starting blocks and tears headlong through the piercing brush, not looking back.**

**Mike hears the faint sound of a siren over his panting. It grows louder as he runs. There's a clearing ahead. A road. He can flag down the police! He is out of breath but pushes forward through the pain. The siren is almost deafening now. The opening is twenty-five yards away. The foliage cuts his exposed legs and arms. Ten yards at a dead run, and he can't even hear himself breathe over the wailing police car. He bursts into the clearing, but there's no road! Mike flies over the edge of a rocky cliff but in midair catches hold of a low-hanging rubber tree branch. The limb springs Mike's weary body out over the chasm then crashes him back against the sharp rocks, slashing deep into his legs.**

▪

*Bam! Bam! Bam!* "Weber County Sheriff! Open up!"

▪

**Mike dangles over the ravine, quivering in fear, and thrashing his wounded legs. He clings to the branch with his last ounce of strength. The cliff edge is just out of reach, and his arms are too weak to inch over on the branch. Warm blood fills his shoes then spills over into the canyon like a scarlet drizzle, and he begins to grow faint from the loss of fluid.**

*Bam! Bam! Bam!* "Michael!"

▪

**The black monster peers over the precipice with its molten eyes and mocks its powerless prey with a deep guttural howl. The creature's matted claw rattles the narrow branch to shake Mike loose and pokes the point of its sword into the side of its helpless victim.**

**Mike winces and writhes in agony. Suddenly he remembers the pistol tucked in his waistband. If only he could reach it. He grips the bough as tight as he can with his left hand and carefully reaches down with his right. The creature sees him straining for the weapon and beats on the limb again to shake him loose. Mike feels his sweaty fingers begin to slip. He looks down over his blood-soaked feet at the deep chasm below and cries out in horror.**

▪

"I think I heard a scream!" a man from outside exclaimed, and he pounded on the front door in desperation.

▪

**The monster stabs Mike's abdomen again, and the force of the blow flings him twisting and swinging like a broken piñata. The Beretta is his only hope.**

▪

“Wake up, Mike!” Diane stabbed her sharp elbow into the ribs of her sleeping husband again and switched on her reading lamp.

Mike twisted and thrashed in the bed, clutching his side in pain, as he slowly regained consciousness.

“Mike! The police are at the front door!”

“The police!” Mike leapt out of bed and darted around the room with a panicked expression. After a moment of realization, he whipped his head back to find Diane sitting in bed fully conscious and without a scratch on her. “You’re okay?”

“Why do you sound so surprised?”

“I was—”

*Bam! Bam! Bam!* “Mike! Open the door!” a deep authoritative voice commanded.

“Let *me* break it down,” a man pleaded at the front door.

Diane rushed into the closet to grab their bathrobes. Mike ran to the bedroom window, cracked open the blinds, and spotted a tall dark figure creeping around the side of the house with his hand resting on his holstered weapon. *There’s no way to escape! Is the Beretta still there? Play it cool.*

“Here.” Diane tossed a robe to Mike on her way out the bedroom door. She cinched her dressing gown as she hurried down the hall. Mike pulled his robe on over his pajamas and scrambled after her.

As Diane threw open the knob on the dead bolt, Mike parted the curtain on the narrow side window and surveyed the men on the front porch. He immediately recognized Detective Jarek and Detective Woods, and there could be no mistake why they were there. His chest pounded, and his quivering palms began to sweat, but he tried to appear calm. He cinched his robe tight around his neck and braced for the cold as Diane opened the door.

The Sheriff stood next to Detective Jarek in the dim porch light. Detective Woods, a step behind and a head taller, peered between the two. A deputy and another man came from the side of the house, shaking loose snowflakes from their pants. A look of relief crept over the men’s faces.

“Detective?” Diane looked astonished. “What’s wrong?”

Mike eased next to Diane in the doorway and stood speechless with trembling arms and a grave expression. *No sense trying to look innocent now.*

The sheriff pulled off his gloves, unzipped his coat, and removed a folded document from his vest pocket. He steeled his countenance and exhaled a deep frozen breath, which, like the secret of Helen’s murder now exposed, rose into the cold night and dissipated. He handed the paper across the threshold and announced, “You’re under arrest for the murder of Helen Kingston.”

▪

Mike sat and stared at Diane, through the glass partition, with a blank expression. She looked back through the safety glass, held the handset, and pleaded with pouting lips for him to talk. Several minutes passed between them in silence. Just when Diane appeared to abandon hope of ever talking with her husband again, he finally pressed the receiver to his ear.

“Did you get any sleep last night?” Mike began after another long pause.

Diane shook her head and looked at him through betrayed eyes.

“Me neither.” They were both wide awake now from the stench of urine and cigarettes that permeated the Weber County jail.

“How could you do this to me, to us?” Diane’s voice cracked. “Why couldn’t you just leave the stuff in the box alone? Everything would’ve been fine.”

“How could we have had any kind of life together,” Mike restrained his emotion, “with the evidence of Helen’s murder hidden in the garage?”

“I’m not sure I can go on, knowing how you betrayed me.” Diane buried her head in her hands.

“How can you see yourself as the *victim* here?” Mike asked.

“All I ever wanted was for us to be happy together!” Diane wailed, tears streaming down her ruddy cheeks.

“Funny way of making that happen.” Mike swallowed hard and looked directly into Diane’s red, irritated eyes. “If I’d found out two years ago, I probably would have strangled you for ruining my life.” His eyes became moist, and a chill shuddered through his body. “But this adversity has made me stronger, and I’m a better man now. I’m not going to lash out in anger or indulge another fit of depression.” He took a deep breath. “I’m going to be fine.”

Panic overcame Diane. “I did it because I love you, Michael!” Urgency filled her voice. “I’ve always loved you. Don’t let me be alone!”

Tears flowed freely down Mike’s unshaven face—tears of relief at the end of this ordeal, of sorrow for his unbalanced wife, of joy to be with his daughter again. “How could you?”

“So we could be together,” Diane pleaded.

Mike paused and took a deep breath. All morning while he had waited at the stationhouse for Diane’s booking and his own debriefing with the local authorities, he’d agonized over this very moment—facing Diane for the last time ever. He had sat by himself in prayerful meditation and sought counsel and fortitude from Bishop Shaw, who had ministered to him over the telephone. Now, in his final confrontation with Diane, a lump formed in his throat, and he silently prayed for strength.

“What you did was *unforgivable*,” Mike said. Diane’s deep blue eyes, where he used to find passion and warmth, were now cold and empty as winter. He wiped his tears with a shirt sleeve as he pictured Helen fighting for her last breath. He envisioned Diane dispassionately casting aside the deadly pillow and prying the wedding ring from her victim’s lifeless finger. He ached for tiny Victoria, staring into the face of the killer who left her motherless. Mike knew he would never find peace again until he let go of his animosity. He swallowed hard, found a sliver of empathy deep in his soul, and forced himself to utter the most difficult words he’d ever spoken. “*I forgive you anyway.*”

Diane snapped to her feet and pressed her palm against the reinforced glass. “Michael?”

A corrections officer appeared behind Diane and removed her hand from the partition.

“Good-bye, Diane.” Mike replaced the handset, rose from his chair, and gazed at her with sympathetic eyes.

She froze, her paralyzed face painted with fear and desperation. “I love you.”

Mike paused and mouthed, “I hope you get some help.” He sincerely did, despite the extraordinary suffering she had put his family through. After one last compassionate look, he abruptly turned and strode toward the exit.

“Michael!” Diane shrieked.

He kept walking without looking back.

“Michael!” she cried again more insistently and pounded in desperation on the safety glass. “Let go of me! He’s coming back!” she wailed.

Mike could hear Diane's screams grow fainter as the door of the visiting area closed behind him and he descended the stairs. No doubt he would be tormented for months about how, as the protagonist in his very own Shakespearean tragedy, he came to be married to Helen's murderer. But for now he was just relieved that the nightmare was over. Victoria was safe, and there would be no lingering doubts about his innocence. He could already feel God's love repairing his spirit after surrendering his anger just as Bishop Shaw had counseled. Mike wiped the remaining tears from his cheeks and prepared to pick up the pieces of his broken family again.

▪

The frigid air stung Mike's damp face as he emerged from the jail. Victoria stood on the sidewalk in front of the building, bundled in her pink parka, holding Wendy Johnson's hand. Craig tarried a short distance off, talking with an attractive red-haired woman. His best friend had indeed come through for him just as Mike knew he would.

Victoria's eyes lit up when her father appeared. "Daddy!" she cried and tromped over in her snow boots to meet him as fast as her little legs could carry her.

Mike bent down to meet his rushing daughter, lifted her into the air, and spun her in circles like a twirling heap of fluffy pink cotton candy. "I missed you so much, sweetheart." He wrapped his arms around her and held her tight against his chest, long enough to make up for the hugs he missed while she was away. "Did you have fun with Wendy and her boys?"

"We wrestled and had snowball fights and made snow forts. Can we go back again sometime?"

"Sure, honey, we can visit anytime you want." Mike approached Wendy with a grateful smile as she waited a few paces away. He set his daughter on the ground and whispered in her ear.

Victoria grinned and ran toward Craig calling, "Daddy! Daddy! Daddy!"

Mike and Wendy chuckled at Craig's horrified expression. "You still have a sense of humor," she observed.

"That should liven up their conversation."

They heard a loud slap and turned to see Craig holding the side of his face and the red-head marching away. Craig started to chase Victoria, and she ran squealing through the snow.

After Mike and Wendy stopped laughing, she looked at him with a concerned expression and asked, "Are you okay?" All the previous discomfort in their relationship had melted away.

"I really am," he responded without hesitation. "You have no idea how much I appreciated knowing that Victoria was safe with you for the last couple of days."

"It was no trouble. My boys loved having a little sister to play with." Wendy paused and caressed Mike supportively on the arm. "I can only imagine how miserable you must have been—losing your wife and your job, being wrongfully accused of her murder, getting spurned by your *friends*"—she lowered her head in shame—"and then finding yourself married to the woman who put you through that agony."

"It all seems now like a very bad dream."

"How did you discover it was Diane?"

"I stumbled upon a storage box where Diane had saved some weird stuff—newspaper clippings about my criminal proceeding, e-mails we exchanged, old flowers—anything that reminded her of me. It was sort of creepy."

"Definitely." Wendy nodded with interest.

“Also in Diane’s box was a packet that contained a pen that was a gift from my father, a tube of Helen’s lipstick, her day planner, a key to my house in Virginia, and Helen’s wedding ring. She must have sneaked the keys from my coat pocket at the office and made a copy. But it was the ring that really gave her away. It was missing from Helen’s finger the night she died.”

“She murders your wife, steals the wedding ring off her dead finger, and stops to gather Helen’s lipstick and planner? It sounds like Diane’s obsession made her psychotic. What a poor, sick woman.”

“So sick and obsessed that she kept these incriminating items as *mementos* with her flower petals and e-mails. After I discovered the box, I collected some hair from an old brush she used before she colored her hair, put it in a pill bottle, and sent it to Craig in D.C. to have the detectives compare it with the blonde hair they found on the pillow Diane used to smother Helen. It was a perfect match.”

“It must have been devastating to discover you were married to Helen’s killer.”

“I should’ve seen the signs.” Mike shook his head. “Victoria was wary of Diane from the first time they met. And I believe Victoria had actually seen Diane in our house the night of the murder, peeking in the baby’s bedroom like she was window-shopping. Victoria just couldn’t talk well enough to explain what she saw. And I don’t know how we failed to notice Diane’s hair color when we were preparing my defense. I guess it’s easy to overlook a beautiful woman when you’re looking for a monster. Diane even managed to evade the detectives every time they came to the firm. She must have listened in on the detectives’ telephone calls to the firm and omitted her own name from the employee list given to them.”

“I never told you this”—Wendy stared at the ground—“but remember the night of the church hayride a couple Christmases ago?”

“I did something to make you mad,” Mike surmised.

“It wasn’t you at all. Remember when I went into the Guzmans’ house to get some hot chocolate?” She paused and looked down again. “Diane was there.”

“Oh no.”

“She told me she was your girlfriend from Washington and that I would be ‘sorry’ if I saw you anymore. And then when Mitch showed me the tabloid picture of the two of you together, well—”

“*Now* I understand.” Mike closed his eyes and shook his head. “Diane and I were friends in D.C., but that was it. I was deeply in love with Helen. I never would’ve cheated on her. And I’m glad you weren’t hurt. It seems like everyone else who got in her way ended up in the hospital. An attorney that Helen’s parents hired to follow me almost died in a car accident yesterday. When he was finally able to talk this morning, he said Diane arranged to meet to give him Helen’s journal—there’s no such thing—and then ran his car into a telephone pole. And we discovered from her interrogation this morning that it was Diane who attacked a secretary at my old firm because she learned the secretary leaked information to the press about my criminal defense. Diane even went to the hospital to help the secretary get home, so Diane could avoid the detectives who were coming to the firm that morning to take hair samples.”

“She really must be crazy.”

Mike sighed. “That’s for the court to decide now. I really hope she gets some help.”

“And you and Victoria are left to pick up the broken pieces again,” Wendy said as they wandered toward Craig, who was pinned on his back and being covered with snow by Victoria.

“It’ll be a difficult adjustment again, but we have family and friends nearby for support. At least I won’t be haunted by those nightmares anymore.” He looked into Wendy’s eyes and smiled. “And people will no longer point fingers at the Sleepwalk Killer.”

“Maybe instead they’ll point fingers and call you the ‘Murderer Marrier.’”

“Oh, that was *bad*.” Mike chuckled and swept his daughter off Craig’s chest. “One more crack like that, and I’ll turn Uncle Craig loose on you.”

“Huh?” Craig mumbled, and they all erupted in hearty, cathartic laughter.

Mike reached down with his free arm and pulled Craig up from the snow.

“Thanks, Bro.” Craig smiled at Victoria’s devious grin and shook the loose flakes from his hair and clothes.

Mike put his arm around his friend’s cold, wet back and embraced him firmly. “No. Thank *you* for saving my life again. I knew you’d figure out the package I sent and call in the cavalry.”

“I’m just glad you two are safe,” Craig said, and poked Victoria in the belly.

Victoria giggled and squirmed in her daddy’s arms. Then she glanced around and abruptly asked, “Where’s Diane?”

Chills swept through Mike’s body, and a lump welled up in his throat. Craig and Wendy smiled sympathetically at Mike and drifted off a few paces.

Mike looked deep into his daughter’s eyes. “Diane loves us both very much. But I’m afraid she had to go away for a long time.”

The corners of Victoria’s mouth turned down, and her lips began to quiver.

“I’m so sorry, sweetheart.” Mike sniffed and fought back the tears. “We’ll get through this together. And someday, I promise I’ll tell you the whole story. Will you trust me until then?”

Victoria blinked, and a single tear streamed down her face. She looked into her father’s moist, loving eyes and nodded her head.

Mike clutched Victoria close to his chest and held her for a prolonged embrace, basking in the warmth of a father’s perfect love for his daughter. “No daddy could ever love his little girl more than I do.”

Victoria curled her tiny body into a fluffy pink ball, nestled comfortably into her father’s secure arms, and gazed up at him with a contented smile. “I love you, Daddy.”

## ACKNOWLEDGEMENTS

I am eternally grateful to my beautiful wife, Jenny, for believing in my dreams and tolerating my obsessions. She cringed every time I said to her, “I need a metaphor,” but she played along anyway. I gained so much inspiration from her and my two wonderful daughters, Maunia and Sierra.

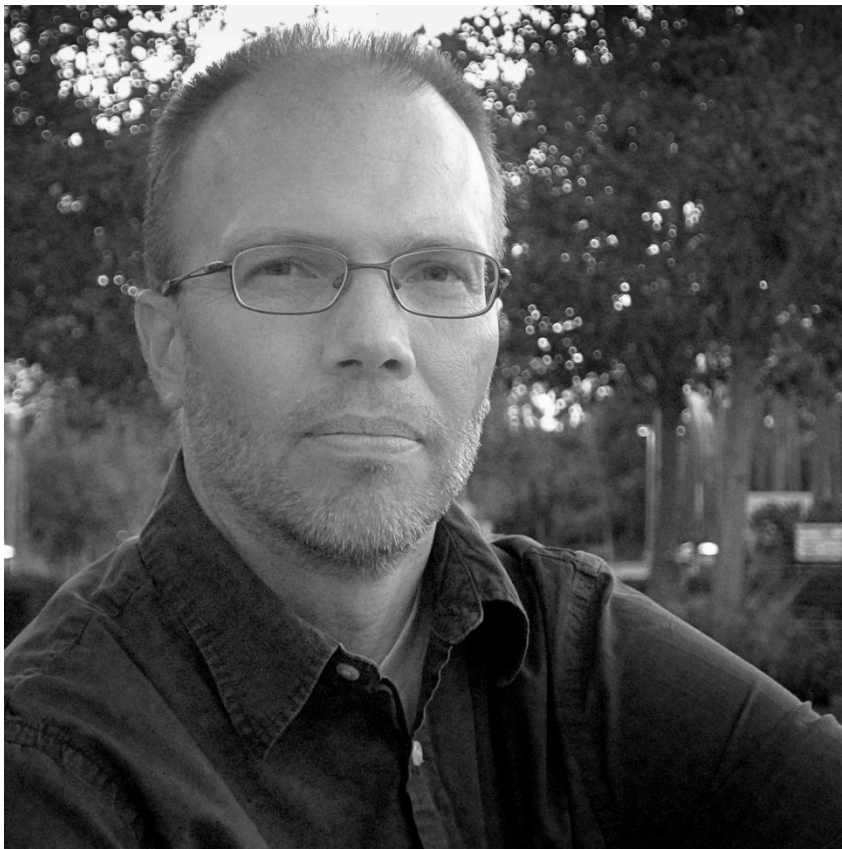
Special thanks to my friends, Matt and Chris Eschler, who provided the idea for the opening scene with a real-life sleepwalking episode. Matt dreamed that he was climbing a rope and woke up with his hands around Chris’s throat. Despite getting strangled, Chris tried to gently awaken Matt because she’d heard that it’s dangerous to wake up someone who is walking in his sleep.

I am also indebted to so many friends and family who gave me invaluable advice and encouragement on the early drafts of my manuscript, including Tim White, Kristel Minnock, Michael Adams, Mandy Dibb, Aubrey Hartman, Richard McKenzie, Kurt Anderson, Jacob Hancey, Dirk Julander, Tracy Hancey, and Jori Barton. Thanks to my dad, Rod Julander, for

adding some profanity to make the story more realistic, and to my mom, Sandra Julander, for taking out the profanity to make the story appropriate for my daughters. There are many others, too numerous to detail, who, over the last decade, gave me ideas and comments for which I'm very grateful.

Thanks to my favorite authors who gave me personal encouragement and have no idea how much they inspired me—Scott Turrow, when he visited my law school, and Lisa Scottoline, who instructed me at a writing conference and generously responded to my later emails.

Last, but certainly not least, my deepest gratitude goes to Parables' Beth and George Bentley, who recognized the potential in my story and took a chance on another lawyer/wannabe novelist. I'm continually amazed at the depth of Beth's knowledge and her ability to work my manuscript into shape. Rest in peace, George.



Treg Julander was born and raised in Ogden, Utah. He is a graduate of Weber State University and George Washington University National Law Center, where he graduated with highest honors and was a member of the Law Review and Vice President of the Moot Court Board. His writing draws on twenty years of practice as an attorney with prestigious law firms in Washington, D.C., and Southern California and as general counsel for a general contractor. He is now in private practice in Orange County, California, where he lives with his wife and two daughters.