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Chapter 1

The custodian at St. Mark's had just scraped three inches of snow off the sidewalks when the man with the cane appeared. The sun was up, but the winds were howling; the temperature was stuck at the freezing mark. The man wore only a pair of thin dungarees, a summer shirt, well-worn hiking boots, and a light Windbreaker that stood little chance against the chill. But he did not appear to be uncomfortable, nor was he in a hurry. He was on foot, walking with a limp and a slight tilt to his left, the side aided by the cane. He shuffled along the sidewalk near the chapel and stopped at a side door with the word 'Office' painted in dark red. He did not knock and the door was not locked. He stepped inside just as another gust of wind hit him in the back.

The room was a reception area with the cluttered, dusty look one would expect to find in an old church. In the center was a desk with a nameplate that announced the presence of Charlotte Junger, who sat not far behind her name. She said with a smile, 'Good morning.'

'Good morning,' the man said. A pause. 'It's very cold out there.'

'It is indeed,' she said as she quickly sized him up. The obvious problem was that he had no coat and nothing on his hands or head.

'I assume you're Ms. Junger,' he said, staring at her name.

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‘No, Ms. Junger is out today. The flu. I’m Dana Schroeder, the minister’s wife, just filling in. What can we do for you?’

There was one empty chair and the man looked hopefully at it. ‘May I?’

‘Of course,’ she said. He carefully sat down, as if all movements needed forethought.

‘Is the minister in?’ he asked as he looked at a large, closed door off to the left.

‘Yes, but he’s in a meeting. What can we do for you?’ She was petite, with a nice chest, tight sweater. He couldn’t see anything below the waist, under the desk. He had always preferred the smaller ones. Cute face, big blue eyes, high cheekbones, a wholesome pretty girl, the perfect little minister’s wife.

It had been so long since he’d touched a woman.

‘I need to see Reverend Schroeder,’ he said as he folded his hands together prayerfully. ‘I was in church yesterday, listened to his sermon, and, well, I need some guidance.’

‘He’s very busy today,’ she said with a smile. Really nice teeth.

‘I’m in a rather urgent situation,’ he said.

Dana had been married to Keith Schroeder long enough to know that no one had ever been sent away from his office, appointment or not. Besides, it was a frigid Monday morning and Keith wasn’t really that busy. A few phone calls, one consultation with a young couple in the process of retreating from a wedding, under way at that very moment, then the usual visits to the hospitals. She fussed around the desk, found the simple questionnaire she was looking for, and said, ‘Okay, I’ll take some basic information and we’ll see what can be done.’ Her pen was ready.

‘Thank you,’ he said, bowing slightly.

‘Name?’

‘Travis Boyette.’ He instinctively spelled his last name

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for her. 'Date of birth, October 10, 1963. Place, Joplin, Missouri. Age, forty-four. Single, divorced, no children. No address. No place of employment. No prospects.'

Dana absorbed this as her pen frantically searched for the proper blanks to be filled. His response created far more questions than her little form was designed to accommodate. 'Okay, about the address,' she said, still writing. 'Where are you staying these days?'

'These days I'm the property of the Kansas Department of Corrections. I'm assigned to a halfway house on Seventeenth Street, a few blocks from here. I'm in the process of being released, "re-entry," as they like to call it. A few months in the halfway house here in Topeka, then I'm a free man with nothing to look forward to but parole for the rest of my life.'

The pen stopped moving, but Dana stared at it anyway. Her interest in the inquiry had suddenly lost steam. She was hesitant to ask anything more. However, since she had started the interrogation, she felt compelled to press on. What else were they supposed to do while they waited on the minister?

'Would you like some coffee?' she asked, certain that the question was harmless.

There was a pause, much too long, as if he couldn't decide. 'Yes, thanks. Just black with a little sugar.'

Dana scurried from the room and went to find coffee. He watched her leave, watched everything about her, noticed the nice round backside under the everyday slacks, the slender legs, the athletic shoulders, even the ponytail. Five feet three, maybe four, 110 pounds max.

She took her time, and when she returned Travis Boyette was right where she'd left him, still sitting monklike, the fingertips of his right hand gently tapping those of his left, his black wooden cane across his thighs, his eyes gazing forlornly at nothing on the far wall. His head was completely shaved, small, and perfectly round and shiny, and as she handed him the cup, she pondered

the frivolous question of whether he'd gone bald at an early age or simply preferred the skinned look. There was a sinister tattoo creeping up the left side of his neck.

He took the coffee and thanked her for it. She resumed her position with the desk between them.

'Are you Lutheran?' she asked, again with the pen.

'I doubt it. I'm nothing really. Never saw the need for church.'

'But you were here yesterday. Why?'

Boyette held the cup with both hands at his chin, like a mouse nibbling on a morsel. If a simple question about coffee took a full ten seconds, then one about church attendance might require an hour. He sipped, licked his lips. 'How long do you think it'll be before I can see the reverend?' he finally asked.

Not soon enough, Dana thought, anxious now to pass this one along to her husband. She glanced at a clock on the wall and said, 'Any minute now.'

'Would it be possible just to sit here in silence as we wait?' he asked, with complete politeness.

Dana absorbed the stiff-arm and quickly decided that silence wasn't a bad idea. Then her curiosity returned. 'Sure, but one last question.' She was looking at the questionnaire as if it required one last question. 'How long were you in prison?' she asked.

'Half my life,' Boyette said with no hesitation, as if he fielded that one five times a day.

Dana scribbled something, and then the desktop keyboard caught her attention. She pecked away with a flourish as if suddenly facing a deadline. Her e-mail to Keith read: 'There's a convicted felon out here who says he must see you. Not leaving until. Seems nice enough. Having coffee. Let's wrap things up back there.'

Five minutes later the pastor's door opened and a young woman escaped through it. She was wiping her eyes. She was followed by her ex-fiancé, who managed both a frown and a smile at the same time. Neither

spoke to Dana. Neither noticed Travis Boyette. They disappeared.

When the door slammed shut, Dana said to Boyette, ‘Just a minute.’ She hustled into her husband’s office for a quick briefing.

The Reverend Keith Schroeder was thirty-five years old, happily married to Dana for ten years now, the father of three boys, all born separately within the span of twenty months. He’d been the senior pastor at St. Mark’s for two years; before that, at a church in Kansas City. His father was a retired Lutheran minister, and Keith had never dreamed of being anything else. He was raised in a small town near St. Louis, educated in schools not far from there, and, except for a class trip to New York and a honeymoon in Florida, had never left the Midwest. He was generally admired by his congregation, though there had been issues. The biggest row occurred when he opened up the church’s basement to shelter some homeless folks during a blizzard the previous winter. After the snow melted, some of the homeless were reluctant to leave. The city issued a citation for unauthorized use, and there was a slightly embarrassing story in the newspaper.

The topic of his sermon the day before had been forgiveness – God’s infinite and overwhelming power to forgive our sins, regardless of how heinous they might be. Travis Boyette’s sins were atrocious, unbelievable, horrific. His crimes against humanity would surely condemn him to eternal suffering and death. At this point in his miserable life, Travis was convinced he could never be forgiven. But he was curious.

‘We’ve had several men from the halfway house,’ Keith was saying. ‘I’ve even held services there.’ They were in a corner of his office, away from the desk, two new friends having a chat in saggy canvas chairs. Nearby, fake logs burned in a fake fireplace.

‘Not a bad place,’ Boyette said. ‘Sure beats prison.’ He was a frail man, with the pale skin of one confined to unlit places. His bony knees were touching, and the black cane rested across them.

‘And where was prison?’ Keith held a mug of steaming tea.

‘Here and there. Last six years at Lansing.’

‘And you were convicted of what?’ he asked, anxious to know about the crimes so he would know much more about the man. Violence? Drugs? Probably. On the other hand, maybe Travis here was an embezzler or a tax cheat. He certainly didn’t seem to be the type to hurt anyone.

‘Lot of bad stuff, Pastor. I can’t remember it all.’ He preferred to avoid eye contact. The rug below them kept his attention. Keith sipped his tea, watched the man carefully, and then noticed the tic. Every few seconds, his entire head dipped slightly to his left. It was a quick nod, followed by a more radical corrective jerk back into position.

After a period of absolute quiet, Keith said, ‘What would you like to talk about, Travis?’

‘I have a brain tumor, Pastor. Malignant, deadly, basically untreatable. If I had some money, I could fight it – radiation, chemo, the usual routine – which might give me ten months, maybe a year. But it’s glioblastoma, grade four, and that means I’m a dead man. Half a year, a whole year, it really doesn’t matter. I’ll be gone in a few months.’ As if on cue, the tumor said hello. Boyette grimaced and leaned forward and began massaging his temples. His breathing was heavy, labored, and his entire body seemed to ache.

‘I’m very sorry,’ Keith said, realizing full well how inadequate he sounded.

‘Damned headaches,’ Boyette said, his eyes still tightly closed. He fought the pain for a few minutes as nothing was said. Keith watched helplessly, biting his

tongue to keep from saying something stupid like, ‘Can I get you some Tylenol?’ Then the suffering eased, and Boyette relaxed. ‘Sorry,’ he said.

‘When was this diagnosed?’ Keith asked.

‘I don’t know. A month ago. The headaches started at Lansing, back in the summer. You can imagine the quality of health care there, so I got no help. Once I was released and sent here, they took me to St. Francis Hospital, ran tests, did the scans, found a nice little egg in the middle of my head, right between the ears, too deep for surgery.’ He took a deep breath, exhaled, and managed his first smile. There was a tooth missing on the upper left side and the gap was prominent. Keith suspected the dental care in prison left something to be desired.

‘I suppose you’ve seen people like me before,’ Boyette said. ‘People facing death.’

‘From time to time. It goes with the territory.’

‘And I suppose these folks tend to get real serious about God and heaven and hell and all that stuff.’

‘They do indeed. It’s human nature. When faced with our own mortality, we think about the afterlife. What about you, Travis? Do you believe in God?’

‘Some days I do, some days I don’t. But even when I do, I’m still pretty skeptical. It’s easy for you to believe in God because you’ve had an easy life. Different story for me.’

‘You want to tell me your story?’

‘Not really.’

‘Then why are you here, Travis?’

The tic. When his head was still again, his eyes looked around the room, then settled on those of the pastor. They stared at each other for a long time, neither blinking. Finally, Boyette said, ‘Pastor, I’ve done some bad things. Hurt some innocent people. I’m not sure I want to take all of it to my grave.’

Now we’re getting somewhere, Keith thought. The

burden of unconfessed sin. The shame of buried guilt. 'It would be helpful if you told me about these bad things. Confession is the best place to start.'

'And this is confidential?'

'For the most part, yes, but there are exceptions.'

'What exceptions?'

'If you confide in me and I believe you're a danger to yourself or to someone else, then the confidentiality is waived. I can take reasonable steps to protect you or the other person. In other words, I can go get help.'

'Sounds complicated.'

'Not really.'

'Look, Pastor, I've done some terrible things, but this one has nagged at me for many years now. I gotta talk to someone, and I got no place else to go. If I told you about a terrible crime that I committed years ago, you can't tell anyone?'

Dana went straight to the Web site for the Kansas Department of Corrections and within seconds plunged into the wretched life of Travis Dale Boyette. Sentenced in 2001 to ten years for attempted sexual assault. Current status: incarcerated.

'Current status is in my husband's office,' she mumbled as she continued hitting keys.

Sentenced in 1991 to twelve years for aggravated sexual battery in Oklahoma. Paroled in 1998.

Sentenced in 1987 to eight years for attempted sexual battery in Missouri. Paroled in 1990.

Sentenced in 1979 to twenty years for aggravated sexual battery in Arkansas. Paroled in 1985.

Boyette was a registered sex offender in Kansas, Missouri, Arkansas, and Oklahoma.

'A monster,' she said to herself. His file photo was that of a much heavier and much younger man with dark, thinning hair. She quickly summarized his record and sent an e-mail to Keith's desktop. She wasn't worried

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about her husband's safety, but she wanted this creep out of the building.

After half an hour of strained conversation and little progress, Keith was beginning to tire of the meeting. Boyette showed no interest in God, and since God was Keith's area of expertise, there seemed little for him to do. He wasn't a brain surgeon. He had no jobs to offer.

A message arrived on his computer, its appearance made known by the distant sound of an old-fashioned doorbell. Two chimes meant anyone might be checking in. But three chimes signaled a message from the front desk. He pretended to ignore it.

'What's with the cane?' he asked pleasantly.

'Prison's a rough place,' Boyette said. 'Got in one fight too many. A head injury. Probably led to the tumor.' He thought that was funny and laughed at his own humor.

Keith obliged with a chuckle of his own, then stood, walked to his desk, and said, 'Well, let me give you one of my cards. Feel free to call anytime. You're always welcome here, Travis.' He picked up a card and glanced at his monitor. Four, count 'em, four convictions, all related to sexual assault. He walked back to the chair, handed Travis a card, and sat down.

'Prison's especially rough for rapists, isn't it, Travis?' Keith said.

You move to a new town; you're required to hustle down to the police station or the courthouse and register as a sex offender. After twenty years of this, you just assume that everybody knows. Everybody's watching. Boyette did not seem surprised. 'Very rough,' he agreed. 'I can't remember the times I've been attacked.'

'Travis, look, I'm not keen on discussing this subject. I have some appointments. If you'd like to visit again, fine, just call ahead. And I welcome you back to our services this Sunday.' Keith wasn't sure he meant that, but he sounded sincere.

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From a pocket of his Windbreaker, Boyette removed a folded sheet of paper. 'You ever hear of the case of Donté Drumm?' he asked as he handed the paper to Keith.

'No.'

'Black kid, small town in East Texas, convicted of murder in 1999. Said he killed a high school cheerleader, white girl, body's never been found.'

Keith unfolded the sheet of paper. It was a copy of a brief article in the Topeka newspaper, dated Sunday, the day before. Keith read it quickly and looked at the mug shot of Donté Drumm. There was nothing remarkable about the story, just another routine execution in Texas involving another defendant claiming to be innocent. 'The execution is set for this Thursday,' Keith said, looking up.

'I'll tell you something, Pastor. They got the wrong guy. That kid had nothing to do with her murder.'

'And how do you know this?'

'There's no evidence. Not one piece of evidence. The cops decided he did it, beat a confession out of him, and now they're going to kill him. It's wrong, Pastor. So wrong.'

'How do you know so much?'

Boyette leaned in closer, as if he might whisper something he'd never uttered before. Keith's pulse was increasing by the second. No words came, though. Another long pause as the two men stared at each other.

'It says the body was never found,' Keith said. Make him talk.

'Right. They concocted this wild tale about the boy grabbing the girl, raping her, choking her, and then throwing her body off a bridge into the Red River. Total fabrication.'

'So you know where the body is?'

Boyette sat straight up and crossed his arms over his chest. He began to nod. The tic. Then another tic. They

happened quicker when he was under pressure.

‘Did you kill her, Travis?’ Keith asked, stunned by his own question. Not five minutes earlier, he was making a mental list of all the church members he needed to visit in the hospitals. He was thinking of ways to ease Travis out of the building. Now they were dancing around a murder and a hidden body.

‘I don’t know what to do,’ Boyette said as another wave of pain hit hard. He bent over as if to throw up and then began pressing both palms against his head. ‘I’m dying, okay? I’ll be dead in a few months. Why should that kid have to die too? He didn’t do anything.’ His eyes were wet, his face contorted.

Keith watched him as he trembled. He handed him a Kleenex and watched as Travis wiped his face. ‘The tumor is growing,’ he said. ‘Each day it puts more pressure on the skull.’

‘Do you have medications?’

‘Some. They don’t work. I need to go.’

‘I don’t think we’re finished.’

‘Yes we are.’

‘Where’s the body, Travis?’

‘You don’t want to know.’

‘Yes I do. Maybe we can stop the execution.’

Boyette laughed. ‘Oh, really? Fat chance in Texas.’ He slowly stood and tapped his cane on the rug. ‘Thank you, Pastor.’

Keith did not stand. Instead, he watched Boyette shuffle quickly out of his office.

Dana was staring at the door, refusing a smile. She managed a weak ‘Good-bye’ after he said ‘Thanks.’ Then he was gone, back on the street without a coat and gloves, and she really didn’t care.

Her husband hadn’t moved. He was still slouched in his chair, dazed, staring blankly at a wall and holding the copy of the newspaper article. ‘You all right?’ she asked. Keith handed her the article and she read it.

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‘I’m not connecting the dots here,’ she said when she finished.

‘Travis Boyette knows where the body is buried. He knows because he killed her.’

‘Did he admit he killed her?’

‘Almost. He says he has an inoperable brain tumor and will be dead in a few months. He says Donté Drumm had nothing to do with the murder. He strongly implied that he knows where the body is.’

Dana fell onto the sofa and sank amid the pillows and throws. ‘And you believe him?’

‘He’s a career criminal, Dana, a con man. He’d rather lie than tell the truth. You can’t believe a word he says.’

‘Do you believe him?’

‘I think so.’

‘How can you believe him? Why?’

‘He’s suffering, Dana. And not just from the tumor. He knows something about the murder, and the body. He knows a lot, and he’s genuinely disturbed by the fact that an innocent man is facing an execution.’

For a man who spent much of his time listening to the delicate problems of others, and offering advice and counsel that they relied on, Keith had become a wise and astute observer. And he was seldom wrong. Dana was much quicker on the draw, much more likely to criticize and judge and be wrong about it. ‘So what are you thinking, Pastor?’ she asked.

‘Let’s take the next hour and do nothing but research. Let’s verify a few things: Is he really on parole? If so, who is his parole officer? Is he being treated at St. Francis? Does he have a brain tumor? If so, is it terminal?’

‘It will be impossible to get his medical records without his consent.’

‘Sure, but let’s see how much we can verify. Call Dr. Herzlich – was he in church yesterday?’

‘Yes.’

‘I thought so. Call him and fish around. He should be

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making rounds this morning at St. Francis. Call the parole board and see how far you can dig.'

'And what might you be doing while I'm burning up the phones?'

'I'll go online, see what I can find about the murder, the trial, the defendant, everything that happened down there.'

They both stood, in a hurry now. Dana said, 'And what if it's all true, Keith? What if we convince ourselves that this creep is telling the truth?'

'Then we have to do something.'

'Such as?'

'I have no earthly idea.'

Chapter 2

Robbie Flak's father purchased the old train station in downtown Slone in 1972, while Robbie was still in high school and just before the city was about to tear it down. Mr. Flak Sr. had made some money suing drilling companies and needed to spend a little of it. He and his partners renovated the station and reestablished themselves there, and for the next twenty years prospered nicely. They certainly weren't rich, not by Texas standards anyway, but they were successful lawyers and the small firm was well regarded in town.

Then along came Robbie. He began working at the firm when he was a teenager, and it was soon evident to the other lawyers there that he was different. He showed little interest in profits but was consumed with social injustice. He urged his father to take on civil-rights cases, age- and sex-discrimination cases, unfair-housing cases, police-brutality cases, the type of work that can get one ostracized in a small southern town. Brilliant and brash, Robbie finished college up north, in three years, and sailed through law school at the University of Texas at Austin. He never interviewed for a job, never thought about working anywhere but the train station in downtown Slone. There were so many people there he wanted to sue, so many mistreated and downtrodden clients who needed him.

He and his father fought from day one. The other

lawyers either retired or moved on. In 1990, at the age of thirty-five, Robbie sued the City of Tyler, Texas, for housing discrimination. The trial, in Tyler, lasted for a month, and at one point Robbie was forced to hire bodyguards when the death threats became too credible. When the jury returned a verdict for \$90 million, Robbie Flak became a legend, a wealthy man, and an unrestrained radical lawyer now with the money to raise more hell than he could ever imagine. To get out of his way, his father retired to a golf course. Robbie's first wife took a small cut and hurried back to St. Paul.

The Flak Law Firm became the destination for those who considered themselves even remotely slighted by society. The abused, the accused, the mistreated, the injured, they eventually sought out Mr. Flak. To screen the cases, Robbie hired young associates and paralegals by the boatload. He picked through the net each day, took the good catches, and tossed the rest away. The firm grew, then it imploded. It grew again, then it broke up in another meltdown. Lawyers came and went. He sued them, they sued him. The money evaporated, then Robbie won big in another case. The lowest point of his colorful career happened when he caught his bookkeeper embezzling and beat him with a briefcase. He escaped serious punishment by negotiating a thirty-day misdemeanor jail sentence. It was a front-page story, and Slone hung on every word. Robbie, who, not surprisingly, craved publicity, was bothered more by the bad press than by the incarceration. The state bar association issued a public reprimand and a ninety-day suspension of his license. It was his third entanglement with the ethics panel. He vowed it would not be his last. Wife No. 2 eventually left, with a nice check.

His life, like his personality, was chaotic, outrageous, and in constant conflict with itself and those around him, but it was never dull. Behind his back, he was often

referred to as 'Robbie Flake.' And as his drinking grew worse, 'Robbie Flask' was born. But regardless of the turmoil, of the hangovers and crazy women and feuding partners and shaky finances and lost causes and scorn of those in power, Robbie Flak arrived at the train station early each morning with a fierce determination to spend the day fighting for the little people. And he did not always wait for them to find him. If Robbie got wind of an injustice, he often jumped in his car and went searching for it. This relentless zeal led him to the most notorious case of his career.

In 1998, Slone was stunned by the most sensational crime in its history. A seventeen-year-old senior at Slone High, Nicole Yarber, vanished and was never seen again, dead or alive. For two weeks, the town stood still as thousands of volunteers combed the alleys and fields and ditches and abandoned buildings. The search was futile.

Nicole was a popular girl, a B student, a member of the usual clubs, church on Sunday at First Baptist, where she sometimes sang in the youth choir. Her most important achievement, though, was that of being a cheerleader at Slone High. By her senior year, she had become the captain of the squad, perhaps the most envied position in school, at least for girls. She was on and off with a boyfriend, a football player with big dreams but limited talent. The night she disappeared, she had just spoken to her mother by cell and promised to be home before midnight. It was a Friday in early December. Football was over for the Slone Warriors, and life had returned to normal. Her mother would later state, and the phone records bore this out, that she and Nicole spoke by cell phone at least six times a day. They also averaged four text messages. They were in touch, and the idea that Nicole would simply run away without a word to her mom was inconceivable.

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Nicole had no history of emotional problems, eating disorders, erratic behavior, psychiatric care, or drug use. She simply vanished. No witnesses. No explanations. Nothing. Prayer vigils in churches and schools ran nonstop. A hotline was established and calls flooded in, but none proved credible. A Web site was created to monitor the search and filter the gossip. Experts, both real and fake, came to town to give advice. A psychic appeared, unsolicited, but left town when no one offered to pay. As the search dragged on, the gossip seethed nonstop as the town talked of little else. A police car was parked in front of her home twenty-four hours a day, ostensibly to make the family feel better. Slone's only television station hired another rookie reporter to get to the bottom of things. Volunteers scoured the earth as the search spread throughout the countryside. Doors and windows were bolted. Fathers slept with their guns on their nightstands. Little children were watched closely by their parents and babysitters. Preachers reworked their sermons to beef up their slant against evil. The police gave daily briefings for the first week, but when they realized they had nothing to say, they began skipping days. They waited and waited, hoping for the lead, the unexpected phone call, the snitch looking for the reward money. They prayed for a break.

It finally came sixteen days after Nicole disappeared. At 4:33 a.m., the home phone of Detective Drew Kerber rang twice before he grabbed it. Though exhausted, he had not been sleeping well. Instinctively, he flipped a switch to record what was about to be said. The recording, later played a thousand times, ran:

Kerber: 'Hello.'

Voice: 'Is this Detective Kerber?'

Kerber: 'It is. Who's calling?'

Voice: 'That's not important. What's important is that I know who killed her.'

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Kerber: 'I need your name.'

Voice: 'Forget it, Kerber. You wanna talk about the girl?'

Kerber: 'Go ahead.'

Voice: 'She was seeing Donté Drumm. A big secret. She was trying to break it off, but he wouldn't go away.'

Kerber: 'Who's Donté Drumm?'

Voice: 'Come on, Detective. Everybody knows Drumm. He's your killer. He grabbed her outside the mall, tossed her over the bridge on Route 244. She's at the bottom of the Red River.'

The line went dead. The call was traced to a pay phone at an all-night convenience store in Slone, and there the trail ended.

Detective Kerber had heard the hushed rumors of Nicole seeing a black football player, but no one had been able to verify this. Her boyfriend adamantly denied it. He claimed that they had dated on and off for a year, and he was certain that Nicole was not yet sexually active. But like many rumors too salacious to leave alone, it persisted. It was so repulsive and so potentially explosive that Kerber had thus far been unwilling to discuss it with Nicole's parents.

Kerber stared at the phone, then removed the tape. He drove to the Slone Police Department, made a pot of coffee, and listened to the tape again. He was elated and couldn't wait to share the news with his investigative team. Everything fit now – the teenage love affair, black on white, still very much taboo in East Texas, the attempted breakup by Nicole, the bad reaction from her scorned lover. It made perfect sense.

They had their man.

Two days later, Donté Drumm was arrested and charged with the abduction, aggravated rape, and murder of Nicole Yarber. He confessed to the crime

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and admitted that he'd tossed her body into the Red River.

Robbie Flak and Detective Kerber had a history that had almost been violent. They had clashed several times in criminal cases over the years. Kerber loathed the lawyer as much as he loathed the other lowlifes who represented criminals. Flak considered Kerber an abusive thug, a rogue cop, a dangerous man with a badge and gun who would do anything to get a conviction. In one memorable exchange, in front of a jury, Flak caught Kerber in an outright lie and, to underscore the obvious, yelled at the witness, 'You're just a lying son of a bitch, aren't you, Kerber?'

Robbie was admonished, held in contempt, required to apologize to Kerber and the jurors, and fined \$500. But his client was found not guilty, and nothing else mattered. In the history of the Chester County Bar Association, no lawyer had ever been held in contempt as often as Robbie Flak. It was a record he was quite proud of.

As soon as he heard the news about Donté Drumm's arrest, Robbie made a few frantic phone calls, then took off to the black section of Slone, a neighborhood he knew well. He was accompanied by Aaron Rey, a former gang member who'd served time for drug distribution and was now gainfully employed by the Flak Law Firm as a bodyguard, runner, driver, investigator, and anything else Robbie might need. Rey carried at least two guns on his person and two more in a satchel, all legal because Mr. Flak had gotten his rights restored and now he could even vote. Around Slone, Robbie Flak had more than his share of enemies. However, all of these enemies knew about Mr. Aaron Rey.

Drumm's mother worked at the hospital, and his father drove a truck for a lumber mill south of town.

They lived with their four children in a small white-framed house with Christmas lights around the windows and garland on the door. Their minister arrived not long after Robbie. They talked for hours. The parents were confused, devastated, furious, and frightened beyond reason. They were also grateful that Mr. Flak would come and see them. They had no idea what to do.

‘I can get myself appointed to handle the case,’ Robbie said, and they agreed.

Nine years later, he was still handling it.

Robbie arrived at the station early on Monday morning, November 5. He had worked on Saturday and Sunday and did not feel at all rested from the weekend. His mood was gloomy, even foul. The next four days would be a chaotic mess, a frenzy of events, some anticipated and others wholly unexpected, and when the dust settled at 6:00 p.m. on Thursday, Robbie knew that in all likelihood, he would be standing in a cramped witness room at the Huntsville prison, holding hands with Roberta Drumm as the State of Texas injected her son with enough chemicals to kill a horse.

He’d been there once before.

He turned off the engine of his BMW but could not unfasten his seat belt. His hands clutched the steering wheel as he looked through the windshield and saw nothing.

For nine years, he had fought for Donté Drumm. He had waged war as he had never done before. He had fought like a madman at the ridiculous trial in which Donté was convicted of the murder. He had abused the appellate courts during his appeals. He had danced around ethics and skirted the law. He had written grating articles declaring his client’s innocence. He had paid experts to concoct novel theories that no one bought. He had pestered the governor to the point that

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his calls were no longer returned, not even by lowly staffers. He had lobbied politicians, innocence groups, religious groups, bar associations, civil-rights advocates, the ACLU, Amnesty International, death-penalty abolitionists, anybody and everybody who might possibly be able to do something to save his client. Yet the clock had not stopped. It was still ticking, louder and louder.

In the process, Robbie Flak had spent all his money, burned every bridge, alienated almost every friend, and driven himself to the point of exhaustion and instability. He had blown the trumpet for so long that no one heard it anymore. To most observers, he was just another loudmouthed lawyer screaming about his innocent client, not exactly an unusual sight.

The case had pushed him over the edge, and when it was over, when the State of Texas finally succeeded in executing Donté, Robbie seriously doubted if he could go on. He planned to move, to sell his real estate, retire, tell Slone and Texas to kiss his ass, and go live in the mountains somewhere, probably in Vermont, where the summers are cool and the state does not kill people.

The lights came on in the conference room. Someone else was already there, opening up the place, preparing for the week from hell. Robbie finally left his car and went inside. He spoke to Carlos, one of his longtime paralegals, and they spent a few minutes over coffee. The talk soon turned to football.

‘You watch the Cowboys?’ Carlos asked.

‘No, I couldn’t. I heard Preston had a big day.’

‘Over two hundred yards. Three touchdowns.’

‘I’m not a Cowboys fan anymore.’

‘Me neither.’

A month earlier, Rahmad Preston had been right there, in the conference room, signing autographs and posing for photos. Rahmad had a distant cousin who’d been executed in Georgia ten years earlier, and he had

taken up the cause of Donté Drumm with big plans to enlist other Cowboys and NFL heavyweights to help wave the flag. He would meet with the governor, the parole board, big business boys, politicians, a couple of rappers he claimed to know well, maybe even some Hollywood types. He would lead a parade so noisy that the state would be forced to back down. Rahmad, though, proved to be all talk. He suddenly went silent, went into ‘seclusion,’ according to his agent, who also explained that the cause was too distracting for the great running back. Robbie, always on the conspiracy trail, suspected that the Cowboys organization and its network of corporate sponsors somehow pressured Rahmad.

By 8:30, the entire firm had assembled in the conference room, and Robbie called the meeting to order. At the moment he had no partners – the last had left in a feud that was still tied up in litigation – but there were two associates, two paralegals, three secretaries, and Aaron Rey, who was always close by. After fifteen years with Robbie, Aaron knew more law than most seasoned paralegals. Also present was a lawyer from Amnesty Now, a London-based human rights group that had donated thousands of skilled hours to the Drumm appeals. Participating by teleconference was a lawyer in Austin, an appellate advocate furnished by the Texas Capital Defender Group.

Robbie ran through the plans for the week. Duties were defined, tasks distributed, responsibilities clarified. He tried to appear upbeat, hopeful, confident that a miracle was on the way.

The miracle was slowly coming together, some four hundred miles due north, in Topeka, Kansas.

Chapter 3

A few of the details were confirmed with little effort. Dana, calling from St. Mark's Lutheran and just going about her business of following up on those kind enough to visit their church, chatted with the supervisor at Anchor House, who said that Boyette had been there for three weeks. His 'stay' was scheduled for ninety days, and if all went well, he would then be a free man, subject, of course, to some rather stringent parole requirements. The facility currently had twenty-two male residents, no females, and it was operated under the jurisdiction of the Department of Corrections. Boyette, like the others, was expected to leave each morning at 8:00 and return each evening at 6:00, in time for dinner. Employment was encouraged, and the supervisor usually kept the men busy in janitorial work and odd, part-time jobs. Boyette was working four hours a day, at \$7 an hour, watching security cameras in the basement of a government office building. He was reliable and neat, said little, and had yet to cause trouble. As a general rule, the men were very well behaved because a broken rule or an ugly incident could send them back to prison. They could see, feel, and smell freedom, and they didn't want to screw up.

About the cane, the supervisor knew little. Boyette was using it the day he arrived. However, among a group of bored criminals there is little privacy and an

avalanche of gossip, and the rumor was that Boyette had been severely beaten in prison. Yes, everybody knew he had a nasty record, and they gave him plenty of room. He was weird, kept to himself, and slept alone in a small room behind the kitchen while the rest bunked down in the main room. 'But we get all types in here,' the supervisor said. 'From murderers to pickpockets. We don't ask too many questions.'

Fudging a bit, or perhaps a lot, Dana breezily mentioned a medical concern that Boyette noted on the visitor's card he'd been kind enough to fill out. A prayer request. There was no card, and Dana asked for forgiveness with a quick petition to the Almighty. She justified the small and harmless lie with what was at stake here. Yes, the supervisor said, they'd hauled him to the hospital when he wouldn't shut up about his headaches. These guys love medical treatment. At St. Francis, they ran a bunch of tests, but the supervisor knew nothing more. Boyette had some prescriptions, but they were his business. It was a medical matter and off-limits.

Dana thanked him and reminded him that St. Mark's welcomed everyone, including the men from Anchor House.

She then called Dr. Herzlich, who was a thoracic surgeon at St. Francis and a longtime member of St. Mark's. She had no plans to inquire into the medical status of Travis Boyette, since such nosiness was far out of bounds and certain to go nowhere. She would let her husband chat with the doctor, with his door shut, and in their veiled and professional voices they might find common ground. The call went straight to voice mail, and Dana left a request for Herzlich to phone her husband.

While she worked the phone, Keith was glued to his computer, lost in the case of Donté Drumm. The Web site was extensive. [Click here](#) for a factual summary, 10

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pages long. Click here for a complete trial transcript, 1,830 pages long. Click farther down for the appellate briefs, with exhibits and affidavits, another 1,600 or so pages. A case history ran for 340 pages and included the rulings from the appeals courts. There was a tab for the Death Penalty in Texas, and one for Donté's Photo Gallery, Donté on Death Row, the Donté Drumm Defense Fund, How You Can Help, Press Coverage and Editorials, Wrongful Convictions and False Confessions, and the last one was for Robbie Flak, Attorney-at-Law.

Keith began with the factual summary. It read:

The town of Slone, Texas, population forty thousand, once cheered wildly when Donté Drumm roamed the field as a fearless linebacker, but now it nervously awaits his execution.

Donté Drumm was born in Marshall, Texas, in 1980, the third child of Roberta and Riley Drumm. A fourth child arrived four years later, not long after the family moved to Slone, where Riley found a job with a drainage contractor. The family joined the Bethel African Methodist Church and are still active members. Donté was baptized in the church at the age of eight. He attended the public schools in Slone, and by the age of twelve was being noticed as an athlete. With good size and exceptional speed, Donté became a force on the football field, and at the age of fourteen, as a freshman, was starting linebacker for the varsity at Slone High School. He was named all-conference as a sophomore and junior, and had verbally committed to play for North Texas State before a severe ankle injury ended his career during the first quarter of the first game of his senior year. Surgery was successful, but the damage was done. The scholarship offer was withdrawn. He did not finish high school, because he was incarcerated. His father, Riley, died of heart disease in 2002, while Donté was on death row.

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When Donté was fifteen years old, he was arrested and charged with assault. It was alleged that he and two black friends beat another black youth behind the gymnasium at the high school. The case was handled through juvenile court. Donté eventually pleaded guilty and was given probation. When he was sixteen, he was arrested for simple possession of marijuana. By then, he was an all-conference linebacker and well-known in town. The charges were later dismissed.

Donté was nineteen years old when he was convicted in 1999 for the abduction, rape, and murder of a high school cheerleader named Nicole Yarber. Drumm and Yarber were seniors at Slone High School. They were friends and had grown up together in Slone, though Nicole, or 'Nikki,' as she was often called, lived in the suburbs while Donté lived in Hazel Park, an older section of town that is primarily black middle-class. Slone is one-third black, and while the schools are integrated, the churches and civic clubs and neighborhoods are not.

Nicole Yarber was born in Slone in 1981, the first and only child of Reeva and Cliff Yarber, who divorced when she was two years old. Reeva remarried, and Nicole was raised by her mother and stepfather, Wallis Pike. Mr. and Mrs. Pike had two additional children. Aside from the divorce, Nicole's upbringing was typical and unremarkable. She attended public elementary and middle schools and in 1995 enrolled as a freshman at Slone High. (Slone has only one high school. Aside from the usual church schools for kindergartners, the town has no private schools.) Nicole was a B student who seemed to frustrate her teachers with a noted lack of motivation. She should have been an A student, according to several summaries. She was well liked, popular, very social, with no record of bad behavior or trouble with the law. She was an active member of the First Baptist Church of Slone. She enjoyed yoga, water-skiing, and country music. She applied to two colleges: Baylor in Waco and Trinity in San Antonio, Texas.

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After the divorce, her father, Cliff Yarber, left Slone and moved to Dallas, where he made a fortune in strip malls. As an absentee father, he apparently tried to compensate through expensive gifts. For her sixteenth birthday, Nicole received a bright red convertible BMW Roadster, undoubtedly the nicest car in the parking lot at Slone High. The gifts were a source of friction between the divorced parents. The stepfather, Wallis Pike, ran a feed store and did well financially, but he couldn't compete with Cliff Yarber.

In the year or so before her disappearance, Nicole dated a classmate by the name of Joey Gamble, one of the more popular boys in school. Indeed, in the tenth and eleventh grades, Nicole and Joey were voted most popular and posed together for the school yearbook. Joey was one of three captains of the football team. He later played briefly at a junior college. He would become a key witness at the trial of Donté Drumm.

Since her disappearance, and since the subsequent trial, there has been much speculation about the relationship between Nicole Yarber and Donté Drumm. Nothing definite has been learned or confirmed. Donté has always maintained that the two were nothing more than casual acquaintances, just two kids who'd grown up in the same town and were members of a graduating class of over five hundred. He denied at trial, under oath, and he has denied ever since, that he had a sexual relationship with Nicole. Her friends have always believed this too. Skeptics, however, point out that Donté would be foolish to admit an intimate relationship with a woman he was accused of murdering. Several of his friends allegedly said that the two had just begun an affair when she disappeared. Much speculation centers upon the actions of Joey Gamble. Gamble testified at trial that he saw a green Ford van moving slowly and 'suspiciously' through the parking lot where Nicole's BMW was parked at the time she disappeared.

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Donté Drumm often drove such a van, one owned by his parents. Gamble's testimony was attacked at trial and should have been discredited. The theory is that Gamble knew of Nicole's affair with Donté, and as the odd man out he became so enraged that he helped the police frame their story against Donté Drumm.

Three years after the trial, a voice analysis expert hired by defense lawyers determined that the anonymous man who called Detective Kerber with the tip that Donté was the killer was, in fact, Joey Gamble. Gamble vehemently denies this. If it is true, then Gamble played a significant role in the arrest, prosecution, and conviction of Donté Drumm.

A voice jolted him from another world. 'Keith, it's Dr. Herzlich,' Dana said through the phone's intercom.

Keith said, 'Thanks,' and paused for a moment to clear his mind. Then he picked up the phone. He began with the usual pleasantries, but knowing the doctor was a busy man, he quickly got down to business. 'Look, Dr. Herzlich, I need a little favor, and if it's too sticky, just say so. We had a guest during the worship service yesterday, a convict in the process of being paroled, spending a few months at a halfway house, and he's really a troubled soul. He stopped by this morning, just left actually, and he claims to have some rather severe medical problems. He's been seen at St. Francis.'

'What's the favor, Keith?' Dr. Herzlich asked, as if he were staring at his wristwatch.

'If you're in a rush, we can talk later.'

'No, go ahead.'

'Anyway, he claims to have been diagnosed with a brain tumor, a bad one, glioblastoma. Says it's fatal, says he'll be dead soon. I'm wondering how much of this you can verify. I'm not asking for confidential info, you understand? I know he's not your patient, and I don't want anyone to violate procedures here. That's

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not what I'm asking. You know me better than that.'

'Why do you doubt him? Why would anyone claim to have a brain tumor when he really doesn't?'

'He's a career criminal, Doctor. A lifetime behind bars and all that, probably not sure where the truth is. And I'm not saying I doubt him. He had two episodes of severe headaches in my office, and they were painful to watch. I'd just like to confirm what he's already said. That's all.'

A pause, as if the doctor were looking around for eavesdroppers. 'I can't pry too deep, Keith. Any idea who the doc is here?'

'No.'

'All right. Give me a name.'

'Travis Boyette.'

'Got it. Give me a couple of hours.'

'Thanks, Doctor.'

Keith hung up quickly and returned to Texas. He continued with the factual summary:

Nicole disappeared on Friday night, December 4, 1998. She had spent the evening with girlfriends at a cinema in the only mall in Slone. After the movie, the girls – four of them – ate pizza at a restaurant that was also in the mall. Entering the restaurant, the girls chatted briefly with two boys, one of whom was Joey Gamble. Over pizza, the girls decided to meet at the home of Ashley Verica to watch late-night television. As the four girls left the restaurant, Nicole excused herself to use the ladies' room. Her three friends never saw her again. She called her mother and promised to be home by midnight, her curfew. Then she vanished. An hour later, her friends were concerned and were making calls. Two hours later, her red BMW was found where she'd left it in a parking lot at the mall. It was locked. There was no sign of a struggle, no sign of

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anything wrong, no sign of Nicole. Her family and friends panicked, and the search began.

The police immediately suspected foul play and organized a massive effort to find Nicole. Thousands volunteered, and through the days and weeks that followed, the city and county were scoured as never before. Nothing was found. Surveillance cameras at the mall were too far away, out of focus, and of no benefit. No one reported seeing Nicole leave the mall and walk to her car. Cliff Yarber offered a reward of \$100,000 for information, and when this sum proved ineffective, he raised it to \$250,000.

The first break in the case came on December 16, twelve days after her disappearance. Two brothers were fishing on a sandbar in the Red River near a landing known as Rush Point, when one of them stepped on a piece of plastic. It was Nicole's gym membership card. They poked through the mud and sand and found another card – her student ID issued by Slone High. One of the brothers recognized the name, and they immediately drove to the police station in Slone.

Rush Point is thirty-eight miles due north of the city limits.

The police investigators, led by Detective Drew Kerber, made the decision to sit on the news about the gym membership and ID cards. They reasoned that the better strategy was to find the body first. They conducted an exhaustive, though futile, search of the river for miles east and west of Rush Point. The state police assisted with teams of divers. Nothing else was found. Authorities as far away as a hundred miles downriver were notified and asked to be on the alert.

While the search of the river was under way, Detective Kerber received an anonymous tip implicating Donté Drumm. He wasted little time. Two days later, he and his partner, Detective Jim Morrissey, approached Donté as he was leaving a health club. Several hours later, two other detectives approached a

young man named Torrey Pickett, a close friend of Donté's. Pickett agreed to go to the police station and answer a few questions. He knew nothing about the disappearance of Nicole and was not concerned, though he was nervous about going to the police station.

'Keith, it's the auditor. Line two,' Dana announced through the intercom. Keith glanced at his watch – 10:50 a.m. – and shook his head. The last voice he wanted to hear at the moment was that of the church's auditor.

'Is the printer full of paper?' he asked.

'I don't know,' she fired back. 'I'll check.'

'Please load it up.'

'Yes, sir.'

Keith reluctantly hit line two and began a dull but not extended discussion of the church's finances through October 31. As he listened to the numbers, he pecked away at his keyboard. He printed the ten-page factual summary, thirty pages of news articles and editorials, a summary of the death penalty as practiced in Texas, Donté's account of life on death row, and when informed that the printer was out of paper, he clicked on Donté's Photo Gallery and looked at the faces. Donté as a child with parents, two older brothers, one younger sister; Donté as a small boy wearing a choir robe in church; various poses of Donté the linebacker; a mug shot, front page of the *Slone Daily News*; Donté being led in handcuffs into the courthouse; more photos from the trial; and the annual file photos from prison, beginning in 1999 with a cocky glare at the camera and ending in 2007 with a thin-faced, aging man of twenty-seven.

When the auditor was done, Keith walked to the outer room and sat down across from his wife. She was sorting through the copies he'd printed, scanning them

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as she went. 'Did you read this?' she asked, waving a stack of papers.

'Read what? There are hundreds of pages.'

'Listen,' she said, and began to read: 'The body of Nicole Yarber has never been found, and while this might thwart prosecutions in some jurisdictions, it did not slow things in Texas. In fact, Texas is one of several states with a well-developed case law allowing prosecutions in murder cases where there is no definitive proof that a murder has indeed taken place. A dead body is not always required.'

'No, I did not get that far,' he said.

'Can you believe it?'

'I'm not sure what to believe.'

The phone rang. Dana snatched it and abruptly informed the caller that the minister was unavailable. When she hung up, she said, 'Okay, Pastor. What's the plan?'

'There is no plan. The next step, the only step I can think of right now, is to have another talk with Travis Boyette. If he admits he knows where the body is, or was, then I'll press him to admit the murder.'

'And if he does? What then?'

'I have no idea.'

Chapter 4

The investigator trailed Joey Gamble for three days before he made contact. Gamble wasn't hiding, nor was he hard to find. He was an assistant manager at a mammoth auto parts discount warehouse in the Houston suburb of Mission Bend, his third job in the past four years. He had one divorce under his belt and perhaps another on the way. He and his second wife were not living together and had retreated to neutral corners where the lawyers were waiting. There wasn't much to fight over, at least not in assets. There was one child, a little boy with autism, and neither parent truly wanted custody. So they fought anyway.

The file on Gamble was as old as the case itself, and the investigator knew it by heart. After high school, the kid played one year of football at a junior college, then dropped out. He hung around Slone for a few years working at various jobs and spending most of his spare time in the gym, where he ate steroids and built himself into a hulking specimen. He boasted of becoming a professional bodybuilder, but eventually grew tired of the work. He married a local girl, divorced her, moved to Dallas, and then drifted to Houston. According to the high school yearbook, Class of 1999, he planned to own a cattle ranch if the NFL thing didn't work out.

It did not, nor did the ranch, and Joey was holding a

clipboard and frowning at a display of windshield wipers when the investigator made his move. The long aisle was empty. It was almost noon, a Monday, and the store was practically empty.

‘Are you Joey?’ the investigator asked with a tight smile just under a thick mustache.

Joey glanced down at the plastic name badge pinned above his shirt pocket. ‘That’s me.’ He tried to return the smile. This was, after all, retail, and the customer must be adored. However, this guy did not appear to be a customer.

‘My name’s Fred Pryor.’ The right hand shot out like a boxing punch bound for the gut. ‘I’m a private investigator.’ Joey grabbed it, almost in self-defense, and they shook hands for a few awkward seconds. ‘Nice to meet you.’

‘A pleasure,’ Joey said, his radar at full alert. Mr. Pryor was about fifty years old, thick in the chest, with a round tough face topped with gray hair that required work each morning. He wore a standard navy blazer, tan polyester slacks that were straining at the waist, and, of course, a pair of well-shined, pointed-toe boots.

‘What kind of investigator?’ Joey asked.

‘I’m not a cop, Joey. I’m a private investigator, duly licensed by the State of Texas.’

‘You got a gun?’

‘Yep.’ Pryor flung open his blazer to reveal a 9-millimeter Glock strapped under his left armpit. ‘You wanna see the permit?’ he asked.

‘No. Who are you working for?’

‘Donté Drumm’s defense team.’

The shoulders sagged a bit, the eyes rolled, the air escaped in one quick sigh of frustration, as if to say, ‘Not that again.’ But Pryor expected this and moved in quickly. ‘I’ll buy you lunch, Joey. We can’t talk here. There’s a Mexican place around the corner. Meet me there. Give me thirty minutes, okay? That’s all I ask.

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You get lunch. I get some face time. Then maybe you'll never see me again.'

The Monday special was quesadillas, all you can eat for \$6.50. The doctor told him to lose some weight, but he craved Mexican food, especially the greased-up, flash-fried, American version.

'What do you want?' he asked.

Pryor glanced around as if others were listening. 'Thirty minutes. Look, Joey, I'm not a cop. I have no authority, no warrant, no right to ask for anything. But you know the history better than me.'

Pryor would later report to Robbie Flak that at that point the kid lost his edge, stopped smiling, and his eyes half closed in a look of submission and sadness. It was as if he knew this day would eventually arrive. At that moment, Pryor was certain they would catch a break.

Joey glanced at his watch and said, 'I'll be there in twenty minutes. Order me one of their house margaritas.'

'You got it.' Pryor thought that drinking at lunch could be problematic, at least for Joey. But then, the alcohol might help.

The house margarita was served in a clear, bowl-shaped pitcher of some sort and was enough of a beverage for several thirsty men. As the minutes passed, condensation formed on the glass and the ice began to melt. Pryor sipped iced tea with lemon and sent a message to Flak: 'Meeting JG for lunch now. Later.'

Joey arrived on time and managed to squeeze his sizable frame into the booth. He slid the glass over, took the straw, and inhaled an impressive quantity of the booze. Pryor made some small talk until the waiter took their orders and disappeared, then he moved in closer and got to the point.

'Donté will be executed Thursday. Did you know that?'

Joey nodded slowly. Affirmative. 'I saw it in the

paper. Plus, I talked to my mother last night and she said the town is buzzing.'

The mother was still in Slone. The father was working in Oklahoma, maybe separated. An older brother was in Slone. A younger sister had moved to California.

'We're trying to stop the execution, Joey, and we need your help.'

'Who's we?'

'I'm working for Robbie Flak.'

Joey almost spit. 'Is that nut still around?'

'Of course he is. He'll always be around. He's represented Donté from day one, and I'm sure he'll be in Huntsville Thursday night at the bitter end. That is, if we can't stop the execution.'

'The paper said the appeals have run out. There's nothing left to do.'

'Maybe, but you never quit. A man's life is at stake, how can you quit?'

Another pull on the straw. Pryor hoped the guy was one of those passive drunks who take the booze and sort of melt into the furnishings, as opposed to the hell-raisers who knock back two drinks and try to clear out the bar.

Joey smacked his lips and said, 'I guess you're convinced he's innocent, right?'

'I am. Always have been.'

'Based on what?'

'Based on the complete lack of physical evidence; based on the fact that he had an alibi, he was somewhere else; based on the fact that his confession is as bogus as a three-dollar bill; based on the fact that he's passed at least four polygraph tests; based on the fact that he has always denied any involvement. And, Joey, for purposes of this discussion, based on the fact that your testimony at trial was completely unbelievable. You didn't see a green van in the parking lot in the vicinity of Nicole's

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car. It was impossible. You left the mall through the entrance to the cinema. She was parked on the west side, on the other side of the mall. You fabricated the testimony to help the cops nail their suspect.'

There was no eruption, no anger. He took it well, much like a child caught red-handed with a stolen coin and unable to utter words.

'Keep going,' Joey said.

'You want to hear it?'

'I'm sure I've heard it before.'

'Indeed you have. You heard it at trial, eight years ago. Mr. Flak explained it to the jury. You were crazy about Nicole, but she wasn't crazy about you. Typical high school drama. You dated off and on, no sex, a rather stormy relationship, and at some point you suspected that she was seeing someone else. Turned out this was Donté Drumm, which, of course, in Slone and in a lot of other small towns, could lead to real problems. No one knew for sure, but the gossip was out of control. Maybe she tried to break it off with him. He denies this. He denies everything. Then she disappeared, and you saw the opportunity to nail the guy. Nail him you did. You sent him to death row, and now you're about to be responsible for killing him.'

'So, I'm gettin' all the blame here?'

'Yes, sir. Your testimony placed him at the scene of the crime, or at least the jury thought so. It was almost laughable because it was so inconsistent, but the jury was anxious to believe you. You didn't see a green van. You lied. You fabricated. You also called Detective Kerber with the anonymous tip, and the rest is history.'

'I did not call Kerber.'

'Of course you did. We have the experts to prove it. You didn't even try to disguise your voice. According to our analysis, you had been drinking but weren't drunk. There was a slight slur in a few of your words. You want to see the report?'

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