

**Travesty
of
Justice**

**By
Suzanne Pederson**

This book is a work of fiction.
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Dedication

*With love for,
my Irish ancestry,
my American roots,
my many blessings,
a simpler life,
and the ability to listen and accept
opposing views.*

This book is dedicated to Patricia Ann O'Dwyer Gilbert.
All families should have a historian such as ours
who ignites a curiosity about the homelands and people from whence, we came,
and who in turn has given us an identity
laced with pride and a sense of who we are
on a larger scale.

Thank you, Mum for showing us Ireland
and for introducing us to family we would otherwise
not have known.

Chapter One

The Defendant stepped into the courtroom dressed in the orange jump suit he'd been wearing since late Friday night. He'd worn plenty of work coveralls over the years, but for some reason the jailhouse jumpsuit didn't feel as comfortable as coveralls. And that was annoying. He shifted his shoulders in an effort to adjust it on his body, without much luck, and closed his eyes to block out the world. He was easily focused on small annoyances today that he would not previously have noticed. Perhaps that had to do with what was happening today. Perhaps it was because today... he was being arraigned.

Wow.

The idea was unfathomable to Connor. It was not the kind of unsavory occurrence he would ever have imagined occurring in his previous life. And yet this bookend moment would now eternally punctuate and define decades of his existence. Time stretched out before him into an endless reality of maintenance on a body now stripped of utility and solitude for a mind now robbed of any purpose. The meaningless vacuum of time would surely drive him to a point of craziness if he allowed himself the free-will to contrast his new existence with the fullness of his past life. He was used to the excitement and busy pace of little girls taking on the world – and the insanity of a demanding life that was only made sane by his delightful and thoughtful wife. Hindsight made him long for past days when small annoyances were unnoticeable. But those days were behind him, never to be enjoyed again.

He expected that from now on his days would grind by under the harsh direction of mean guards controlling the surreal existence of a world now defined by cold metal bars, endless noise made by hardened prison mates, and simple pleasures carved out of a repugnant existence in the smelly confinement of an overcrowded jail. Yet here in this bizarre world of caged bodies and stifled minds, disgusting smells and lack of purpose, the solitude of Connor's life would be far more bearable than he could ever expect it to be in the glaring emptiness of his silenced home.

Daddy! A wee little voice heard only in his mind reminded Connor of how much he had lost; how empty his world had become, and how shallow his existence would now be for eternity. Everything he had ever cherished was gone. He was left with nothing but the eviscerated hull of his manly frame – a body now lacking all passion for life; and a life now lacking any significant meaning.

He stopped where he was directed in front of a wide table and sat when he was told, in a small folding chair. Arraignment was a formality of the legal system; his appearance here today would carry him over a significant legal threshold. He'd be apprised of the charges being brought against him, informed of his constitutional rights, bail would be considered and perhaps granted, an attorney would be appointed if he lacked the means to hire counsel, and a trial date would be set for the near future. Connor had already filled out the mandatory financial paperwork needed to request a public attorney, though he cared less about a legal defense; and a clerk had placed an assigned lawyer's card in his hand as he passed her walking down the grungy prisoner's row.

Connor glanced at the name in his hand. Laura Stuteker. A woman lawyer; he expected she would be an aggressive type, a typical American woman, driven to make it in a man's world – and because of that completely lacking appreciation for the feminine attributes she possessed that most men would cherish in her, if only she would allow it. She would be nothing like the women of his past life.

"All rise."

Connor stood on command, his manacled wrists making it awkward for him to raise his tall

frame without wobbling on his already shaking legs. It was unfathomable that he was about to be charged with another man's murder.

"Case No. 59136 – *the State of Oregon v. Connor O'Brien.*"

Connor swallowed with a mixture of angst and disbelief, and a good portion of public shame. His life had taken a turn down a shoddy road he had never expected to travel.

Daddy, daddy...

Connor closed his eyes to the silent sobbing in his head, the wail of sirens in his ears, and the constant screaming that filled his mind. The image of his blonde six-year-old daughter frightened and in pain accompanied the scared wailing he kept hearing from the image of his own body assessing the trauma scene. The screenplay rarely stopped haunting him; magnified images; an exaggerated horror show – and yet it was so real for him. *I'm here, Celine*, he answered without making a sound or moving his lips. *I'm here, me love. Just hold me hand. Daddy is here with you...*

"Have you read the accusatory instrument?" The judge caught Connor's attention.

He straightened and nodded. "I have your Honor."

"And do you have any questions about the charges being brought against you?"

Connor shook his head. "No, your Honor. I've surely done the deed for which I've been charged."

The judge frowned and whispered to a clerk by his side. "You're facing a capital murder charge, Mr. O'Brien so I'm not accepting a guilty plea from you until you've had a chance to be represented by counsel. Have you been appointed a public defender?"

Connor nodded, glancing down at the card in his hand. "I have, sir. I thank you."

"On the issue of bail..."

The prosecutor bolted upright out of his chair to object to his release. "In consideration of this defendant's strong family ties to Ireland, and his lack of roots in America, and pursuant to *ORS 135.240*, the District Attorney's office requests that release of this defendant be denied, your Honor. Regardless of public appeal otherwise..."

Daddy! Daddy!

Connor closed his eyes not caring what was happening in the court room. *I'm here, sweetie...* He heard his own voice offering reassurance but knew now what he didn't know then: that there would be nothing he could do to save his little girl; he could only console her in his arms while he went half-mad screaming for God to undo what had just happened, alternatively begging for him to spare his daughter a tortured death.

Bail was denied. It didn't really matter. Connor had no desire to return home. Having a house without family was like having pet food without a pet.

He returned to his cell, doors clanging behind him, having first been strip searched and now thankfully left alone. He was filled with emptiness; a hollowness that ran deep into his bones.

Two days later, his court assigned lawyer requested a visit with him. Connor was taken to a tiny visiting room and shackled to a table where he waited for her to enter.

"Hi." She stepped through the doorway, young and pretty, looking eager to get to work for him. "I'm Laura Stuteker, your attorney. I have to tell you up front, I'm sort of new at this. I've tried a lot of cases before, but I've never defended a murder case on my own. You're my first. But

I feel confident that I can help you. My legal assistant was supposed to make this preliminary meeting with you yesterday, but quite frankly I told her I wanted to meet with you myself. You've become somewhat of a cause celebrity. People are discussing your case over the drinking fountain at work."

Connor politely smiled through an irritated frown. *A Cause celebrity...* what did it matter? He'd rather have been at work himself today discussing his wife's Irish stew, complaining about her nagging, or belly aching about the demands of his little girls' schedules and his required parental presence at drawn out performances in his limited off hours.

His attorney kept talking. "Public opinion is hugely in your favor. That will work well for us. I'm excited to get you out of here and back to the life that was put on hold when you were arrested Friday night."

Connor frowned. His life wasn't put on hold when he was arrested Friday night; his life came to a crashing stop when his beloved family was killed in the dark of a cold night. He looked at his attorney with that thought and wondered what he should say to her. "If frankness is in order ma'am, then I should be frank with you."

"God, I love that Irish accent!" His attorney interrupted him. "It's so charming. I'm sure it'll play nicely with women jurors. We'll have to try and stack the jury box full of them and put you on the witness stand. It's a risky move, because it means you give up the right not to incriminate yourself, but in your case, it might be the best thing for us to do."

Connor frowned in protest. "I should tell you up front; I'm not in need of your services. I most surely am guilty of the crime for which I've been charged, and I would like to be away with these legal matters as quickly as possible. I'm ready to be sentenced and placed in a cage for the rest of my days."

"Oh, no, no, no!" Laura Stuteker objected with emotion. "Give me a chance to do my thing here. I'm a good lawyer, and you have wide ranging public support not to mention a lawful excuse. It was justifiable homicide. You shot the deceased in self-defense. I've read the police report and witnesses have confirmed that."

Connor scowled. She just wasn't listening to him. "I will not commit a crime against God and my fellow human beings and then squirm out of the truth of my own actions with dishonorable excuses. I value my honor far more than my freedom and it won't allow me to do that. I couldn't live with myself under the shadow of that burden."

Laura Stuteker leaned back in her chair visibly befuddled, and scowling, she opened a briefcase to extract a stack of papers. "I don't think you get this. You're facing a capital murder charge that carries the death penalty. If the jury convicts you, you may very well die. *They will kill you.* Do you understand that? So, let me help you. Let me defend you. That's what I do. I'm a defense attorney. I defend people's actions. That's how I make a living. We're talking about your freedom versus years in prison or worse, lethal injection."

"That doesn't matter to me. Your assistance with this matter is about as useful as a lighthouse on a bog. Even if I wanted your help, I haven't got a bloody chance of getting away with what I've done. So why bother?"

"But... You don't understand. Your *honor*, however noble it may be to you, will only get you convicted. And there's no reason for you to be convicted of a crime that you didn't "legally" commit. The law allows you this excuse. It's like a legal loophole. And it was put there for someone exactly like you. So, let's use that loop hole the way it was intended to be used, and get you out of here."

"A lawful excuse, you say; a legal loophole." Connor leaned forward in his chair to move his face closer to hers. "I haven't any wishes to win as you would say, a legal game of murder of which

I know I'm guilty; in which the Lord knows I'm guilty. In which me loved ones know I'm guilty. It's about taking something away from me that I could never give back to me-self. That's the problem with your justice system. It provides for a lack of accountability to oneself. And how can anyone have a life worth living without accountability for one's own actions?"

Laura leaned back in her own chair and sat in speechless bewilderment. Then she found an impatient voice for him. "But you were under extreme emotional distress when this unfortunate event happened. I've read about it in the paper, and..."

"It wasn't an unfortunate event! It was murder, I tell you! By me own two hands! So please call it by its name. And that's it! I have nothing more to say to you." Connor squared himself into the back of his chair and determinedly stared back at her. "Nothing, are you hearing me? Because I'll not take kindly to you meddling in me affairs, so please... just be away with yourself so I can have me sentencing and me just conviction."

Laura Stuteker held his gaze taking such an obvious disliking to his legal position that her tongue was tied in a quandary. But she finally untangled it to make a calculated plea to him. "It is my responsibility to give you the best defense possible. That's my job and your constitutional right. Whether or not you're guilty of the crime of which you've been charged." She settled herself determinedly into the back of her chair. "I'll leave if you want me to later, but let's at least talk right now. Tell me about your family. Perhaps we should start there."

Connor smirked at her request. She thought she was being so subtle pretending to care about him, acting like she would acquiesce to his demands, if only he would first give her what she wanted; but he knew her kind. She was just trying to manipulate him into compliance. But Connor was never one to give into such obvious manipulation. "You think if you can get me talking, I might break down and change me mind on this, don't you? You think I'm so easily swayed by your persuasion..."

Laura Stuteker smiled back at him. "I think as your attorney I should make an attempt to understand your position. It's the only way I'll be able to respect it. Otherwise I'll be forced to recommend a psychiatric evaluation on you. If that happens, you'll be committed to a state hospital for a thirty-day observation period while a number of state appointed doctors try to determine your sanity or lack thereof, whichever the case may be. And I'm assuming that can't possibly be something you're interested in pursuing."

Connor frowned. "So, what are you telling me? That a man is insane for wanting to avenge his murdered family? Or is it me desire to hang onto me integrity despite the crime I've committed that makes you think I'm insane?" He smiled at the irony. "We live in a crazy world."

Laura Stuteker was just a little persuaded by his wondering; Connor could see it in her expression, which she then put into words. "I get the feeling you'd rather be left alone to ponder your very noble ideals, than be forced to discuss them with a team of prying doctors. So, talk to me. You have to cooperate with me. I'm the only person in the world who is currently looking out for your best interests – whatever they may be."

Connor sighed and closed his eyes. His family, she requested. In twenty-five words or less, he figured. But his family was dead. So, what was there to tell her? "They're all in coffins now on a hill across town." He opened his eyes, raised his bushy brows, and shrugged, waiting for her response. "Would you have me describe their internment for you, or the wee little caskets that hold their silent bodies?" His voice cracked with the vision, and he had to fight a sudden rush of emotion that threatened to overtake him.

Laura lost the vocational detachment in her eyes. "I'm sorry they died."

Connor nodded becoming tense with the heartbreak he was feeling, and the reality he was

facing at the hands of his prying lawyer. "And you're sorry their murderer found loopholes and legal excuses that allowed him..."

"The system doesn't always work the way our forefathers intended." She interrupted his anger with a simplified answer, a ready-made justification for newspaper headlines. "That's something we all have to live with and try and correct." She added to her canned response with an occupational ambivalence. "Perhaps your case and the public interest it's commanding will help change some of the flaws in the system."

Connor scowled with his own thoughts. *She* was the problem. It was her kind that made it possible for guilty men to go free. "Hold yer whist, while I calm me-self down, 'cause I will not be a part of your flawed system, counselor. I won't have you resting at night taking solace out of vigilante killings that make your conscience go quiet on you. I won't have me own actions being the reason you can live with yourself."

"I don't understand." Laura shut her briefcase and slid it to her side. "May I tape our conversation? It's easier for me than taking notes." She set a tiny cassette recorder on the table between them.

Connor wished he could scream for her to just go to hell. But the angry wiring inside him had become diffused. His explosives were all spent. The outburst had come last Friday night. Today he just hated with ambivalence of his own. "Tape what you want to tape, counselor."

His attorney smiled with what he perceived was sympathy, perhaps even genuine. Connor didn't know and he didn't much care.

Laura started her tape recorder. "You think my interest in your case is somehow self-serving?"

Connor frowned. "I think you're a Holy Joe, and I wonder how you will sleep at night knowing you got a murderer off the hook?"

Laura squirmed just a little. "I believe every man or woman accused of a crime has the right to a fair defense. It's in our constitution. And someone has to uphold that."

"Even for a guilty man – one who willingly admits that he murdered someone." Connor scowled. "And they call that justice. I'd just like to know for whom?"

Laura nodded during the time she was thinking of an answer. "I figure that the guilty ones will be back by virtue of their own bad nature. And a sharp prosecutor will get 'em the next time around. Everyone gets what they deserve at some point in time. It's called karma, and I believe in it."

"Or perhaps some poor chap like me will take matters into his own hands and do away with the guilty bastard you release onto the streets. Justice a bit messier than what you would have served, but it'll quiet your conscience and surely you'll keep your pockets lined because of it, right?"

Laura smiled with slight amusement. "I know why you killed Armand Rosanti. Can you tell me in your own words how it happened?"

Connor clammed up. "You can read about it in the papers. I'm told it's in print."

"But not in your words Mr. O'Brien." Laura found a yellow legal pad and pen in her briefcase. "Shall I call you that, or would you prefer..."

"Call me whatever you'd like to call me." Connor shifted in his chair. "Ms. Stuteker? Is that what you prefer? Or would it be more appropriate to call you *Madame Magician*, capable of making a murder disappear?"

"Laura will do." She smiled with amusement. "You sound very angry, Connor."

He huffed off her observation hating her more with each passing minute. It was her type that ruined his world. "And you wouldn't be?"

"I would." Laura crossed her arms to lean on the table. "You must feel very lonely."

Connor didn't answer. Lonely was a word that left comprehension to its bearer. And what

Connor felt inside was a far more disabling feeling than her lonely observation could ever describe.

"And hurt." Laura added another empty word to his silence.

Connor huffed. "She's an attorney and a psychiatrist now. Were your parents loaded with money or are you deep in debt with student loans?"

Laura didn't respond. "I can only imagine your pain."

"Can you?" Connor doubted that was possible. Laura Stuteker would not have the emotional maturity to realize the enormity of his loss. "Imagination is a safe thing to offer, isn't it? 'I imagine your pain,' you say. 'I imagine your loneliness.' But do you? You imagine it, how?"

Laura shook her head not knowing how to answer. Then she shrugged her shoulders at him. "I lost a puppy once when..."

"A puppy?" Connor rose out of his chair, completely offended and ready to end the conversation, but the manacles on his wrists attached to the table in front of him forced him back down with a solid thump. "You compare me wee little girls to a puppy? And what of me wife of twelve years? Is she little more than a puppy to you as well? Is that what I'm to understand? No wonder you can sleep at night! Perhaps a trip to the pet shop could've spared me some pain?" His eyes watered up the same instant his voice became strained, but Connor went on, "Then nobody would've been murdered Friday night." He swallowed with force to get rid of the knot in his throat.

"I didn't mean to trivialize... I just meant," Laura apologized. "I'm sorry. I was trying to... I just wanted to share your feelings. I was hoping to show compassion."

"Well, please don't make the attempt because you're failing miserably and showing a certain amount of shallowness that actually offends me." Connor slumped in his chair wishing she wasn't here, wishing he could leave, wishing he had died the same night that his family died. Then he dropped his head to his tethered hands and ran his fingers over his throbbing forehead. His palms were calloused, permanently stained with the grease of a laborer, but large, his wife had always raved ...*Big enough to handle all the problems I might place in your palms, Connor O'Brien,*" she'd say.

He looked into his palms now for the troubles spilling out of them.

"Tell me about your wife." His attorney kept track of the time he was wasting.

Connor wiped his eyes before they started draining. "She was beautiful." He spoke in a voice that longed for the past. "She was short, not very trim when we married but that wasn't of concern to me. She was all of seventeen and still a virgin." He smiled remembering. She had recently started running to lose the 'Irish pounds' as she called them. American women were so weight conscious. Prior to her death, Patty had begun to fall victim to an American vanity.

"She was a proper Irish girl. Catholic, but I loved her anyway." Connor smiled at the inside joke he and Patty had shared many times over. Irish Catholics and Irish Protestants: the two didn't mix. But they had proved otherwise.

"She had distinctive features," the bony Irish nose, sharp chin and high cheek bones always tinged with a healthy pink glow; and shocking red hair. They were so alike in personality, except for their religious differences. They had immigrated as newlyweds encouraged to-do-so by his wife's sister who had married an American a few years before. Connor had known Patty all of his life. Patty McGregor O'Brien – the prettiest lass in all of Ireland. Now she was dead.

"How did you meet?"

Connor looked across the table startled just a little by the forgotten presence of his tape recording, note taking busy-body, superficial attorney. "How did we meet you ask." He closed his eyes and dropped his forehead into the palms of both hands. His last memory of Patty would be of her mangled body lying limp in his horrified arms. His first memory of her was as far removed from

that image as a bottle of fine cologne was removed from the stench of bloated animals, dead along the roadside.

"We were children." She was just three years old the day he met her at her father's bakery shop next door. He had turned six just a few months before. Connor's father was a tailor. His mother cleaned and ironed wealthy people's laundry. "I was still wearing knickers when we met. Patty was just out of diapers."

"Oh." Laura Stuteker was surprised by the image. "I've never met anyone who actually knew someone for that long. Four or five years maybe if it was a close friend, longer for family, but..."

"She lost her first tooth with me." Connor smiled, remembering. "We were running down the train tracks. I was teasing her like I always teased." He could put himself back in that moment so easily now – Patty in her light blue jumper, tan blouse beneath it, white woolen cardigan, anklets and brown shoes.

"She tripped and knocked her front tooth out. She made me carry it back to their cottage while she desperately tried keeping the blood that was running out of her mouth from staining her garments. I assured her that me mum knew how to remove blood stains, what with six boys in the house there were lots of bloodied noses, but Patty was furious with me all the same. She was afraid she'd ruin her new cardigan. Our parents all had so little money."

Connor remembered the morning with sweet emotion. "*Patty McGregor the baker's daughter*," he'd sung that to her as they ran down the railroad tracks, him skipping along beside her, tugging on her bouncing braids as he went by. "*Fat like a dumpling but cooked so much sweeter!*" She had screamed in wild protest, running furiously after him, but Connor had known even then that she loved him as much as he loved her.

"So, you knew her all your life?"

Connor sighed looking up across the prison table between them. "I didn't just know her all me life. I *loved her* all me life."

"Oh." Laura Stuteker smiled with sad emotion. "I've never known that kind of love. It must be awfully special."

"It is. It was." Connor confirmed her observation in a tense voice. "I think it's a gift from God we're given only once in a lifetime."

"Maybe not just *once*," Laura shrugged making a timid offer of hope in the face of improbability. "You could love like that again."

She had no idea what she was talking about, and that showed her lack of depth. "I'm not sure I'd even want to." Connor scowled at the superficial woman sitting across the table from him. There was nothing profound about her. So quick was she to dismiss his dead wife as a thing to be forgotten, and even replaced. So quick was she to dismiss the power Patty still held over the depths of his soul; Connor would never stop loving her and that in itself would keep him from ever loving another. "Do you know what it's like for a young lass to start menstruating without forewarning from her mother?"

"What?"

Connor explained with sweet emotion. "Me sweet little Patty started one day when the two of us were on a hop from school.

"A what?"

"We were skipping our classes... and away we were through the cow pastures near our homes, playing and giggling and such as children do... jumping over cow patties, trying to stay out of the mud so our parents wouldn't know we'd skipped our classes. I was helping her over a fence when I noticed the blood on her skirt. Our parents were old fashioned. They didn't talk much about these

kinds of things with us. Patty was embarrassed when she realized where the blood was coming from. She made me promise not to tell anyone. She thought she was being punished for kissing me."

Connor smiled, remembering how worried and guilty they'd both felt after he pointed the blood out to her. "We went to confession and told her priest what had happened, admitting that I'd put my hands on her and he told us to go to the library and look up menstruation. Then he scolded us for our adolescent petting. We were praying for our souls for some time after that."

Connor chuckled with the memory. How innocent they were then. Children today were so much wiser. "For the longest time, Patty refused to let me touch her or kiss her, and I obliged because I was afraid if I didn't, we'd get carried away and really get ourselves in trouble. I wasn't sure if there were enough prayers in all the prayer books in the world, to cleanse me for the things that I was wanting to do with her. We were just young kids, but I took great care of her even then, promising her that I'd never let anything harm her. I was to protect her to the end."

Connor turned his attention on Laura. "But I failed her there, didn't I?"

Laura Stuteker shrugged in contest. "Her death wasn't your fault. It isn't humanly possible to compete with a car traveling into you at sixty miles an hour." Tears gathered in her eyes and she dabbed them with her index finger. "And you've done what you could now to right the wrong."

Connor sighed closing his eyes. "I've avenged my family by killing their murderer, but it will not bring me loved ones back home to me, no matter my heart felt desire to bring them back home. Somewhat of a wasted effort, do you not think?"

"Your wife would want you to go on living."

"She would, would she?" Connor turned his angry eyes on Laura. "You knew her then? Me Patty? Before she died? She spoke to you about this?"

"Well, no." Laura stumbled trying to defend herself. "I just assume, I mean, I'm sure she'd want you to find happiness again. I would if I was your wife."

Connor frowned suddenly noticing his attorney's carefully styled thick blonde hair, her meticulously applied make up and fastidious attention to her professional attire – a well-tailored jacket, nice blouse, complimenting skirt and matching heels, accessorized by what he assumed was very expensive jewelry. Her clothes were well made, undoubtedly custom fit. "You would never be my wife because I do not like make up or fancy clothing, or costly jewels. Too great an obsession with outwardly appearances steals something away from thine inner self." His eyes took it all in with obvious disapproval. "Would you not agree?"

Laura was quietly taken aback.

Connor noticed and wondered with regret, why he'd said that to her? It wasn't like him to be so rude or mean spirited. He just felt so angry inside and willing to show it. There was no reason not to anymore. "I'm sorry." He dropped his forehead onto the hands he held clasped together in his lap. "I don't mean to be so hateful. I've changed a lot since my girls left my world."

"I can understand your bad temper."

Connor huffed in silent objection. "You understand nothing." Only what she wanted to understand. "I killed him. Okay? And I'm glad about it. Would you understand that for me? It was murder. I'll have his life's blood on my hands until the day I die, just as he died with the blood of my family on his hands. And there isn't a loophole big enough in this world to change that for me. It's a part of me now, no matter your legal defenses. It's who I am: a murderer."

Laura didn't say anything.

Connor raised his head from his tethered palms. "I'd just like to be left alone with my pain now. Do you think you could show me a wee bit of courtesy by not bothering me any more than is required to satisfy what you perceive to be your legal obligation to me?"

Laura nodded. "If you aren't capable of following and actively taking part in the legal proceedings against you..."

"Must I want to be set free to be deemed capable of following and taking part?"

"You killed under duress. Extreme emotional..."

"Hatred..."

"Self-defense." Laura interrupted his self-incrimination. "I understand that a fight broke out between you."

Connor frowned, annoyed by her persistence, and mad that she was drawing him into her legal dialogue, despite his objection. "I followed him for three days. How does that fit into your self-defense argument?"

"Watching someone is not a crime. And there's no discovery on you stalking him but I'll look into that."

Connor scowled having no doubt that she would. "And then I watched him drink from five thirty in the evening until ten o'clock that night. He was surely plastered when he went to his car."

Laura jotted that down. "And then you stopped him from getting behind the wheel and probably saved countless innocent lives."

But not the lives that mattered to Connor, "And then I punched him in the face with all me might. I wanted him dead and I was willing to bring that about with me own two hands."

"Don't say that. Intent can be used to aggravate the crime against you. Of course, you were angry. He killed your family and got away with it. That doesn't mean you actually wanted to kill..."

"I wanted to see him die that evening, counselor." Connor interrupted her with the facts as he knew them. "I wanted it to happen with the same two hands that cradled me dying daughter by the side of a cold road; the same two hands that performed CPR on me wife until I realized she was beyond saving; and the same two hands that held me other daughter dead in her hospital bed."

"But you walked away from the fight." Laura Stuteker counter-argued her interpretation of how the events unfolded. "There were witnesses who stated that you tried to leave the scene. That's a mitigating circumstance in your favor."

Connor frowned at her perspective, not caring about mitigating circumstances. "And did your witnesses state that I shot him in the heart? Right here...Counselor..." He tapped his own heavy heart with the anger he held inside. "So, stall the ball where it's landed between us and forget about all this legal nonsense."

"The gun was his." Laura had an answer for everything. "He pulled it on you. If you hadn't wrestled it away from him... you killed him in self-defense."

"Well then," Connor was tired of talking about it. "I guess that's up to you to prove in a court of law, counselor. But just so you know, I'd have killed him anyway."

Chapter Two

The Court Appointed Attorney walked to her car in melancholy spirits. She'd done her time in the DA's office. Not a lot of time, but enough to feel the outrage of crime victims. Her move to the defense firm of *Stadler, Munsey, and Greene* was a step up the legal ladder she had always wanted to climb. As far back as she could remember, she had dreamed of being an attorney; the kind who gave unfortunate people a chance at starting over. She believed most people were good at heart. It was only bad circumstances that caused their undoing. Like Connor O'Brien. He was a victim of bad circumstance and Laura saw herself as his savior; she was an advocate for the easily dismissed members of society who fell onto the wrong side of the law through no fault of their own. Most of her defendants were under classed, underprivileged poor people who came from dysfunctional families who were never given outside opportunities to turn their lives around. She was their reason to begin anew. She was their hope.

But now, thanks to Connor O'Brien and his unexpected disgust with her vocation, Laura was left questioning her own moral purity; her legal sense of order. He was exactly the kind of defendant she had always pictured herself representing – an upstanding citizen, a law-abiding principled man who'd been victimized by society. So how come her meeting with him today left her feeling so unstable? How could he think she lacked integrity when she spent so much time fighting for other people's rights?

Stewing on that quandary, Laura crossed town on the max-train, returned to her office for some legal briefs she was working on, and rode the bus home. Connor O'Brien stayed on her mind as she sat in silence. He was an attractive man who had the body of a laborer. His eyes were piercing blue, almost haunting when they settled on her, and his smile though hesitant, was filled with raw sincerity and just a hint of what Laura suspected was a fun sense of humor – lost for the moment, and in painful hiding. She'd seen it when he was talking about his deceased wife. Laura wished he had offered more of his stories to her. She got such a sense of his humanity listening to his tales.

Thirty minutes later, she stepped off the bus and walked the half-block home. Her husband would already be home. He always was. Not that he'd have dinner ready or the house picked up. He never even walked the dog anymore when he got home first.

"Michael?" Laura entered her house giving into the melancholy feeling that was trapped inside her soul. Most days she loved her job. Today she wasn't sure. How could the perfect defendant leave her so confused about her chosen vocation and her life in general? Was her noble profession the reason Connor O'Brien was in jail? Were her hard fighting, loophole finding, morally righteous peers the very reason Connor's family was now buried in a cemetery? She had checked out Armand Rosanti's legal past. The man had been in court on multiple occasions prior to him causing the death of Connor's family. But nothing ever stuck to him. He was what they called a *Teflon* defendant created by technicality minded defense attorneys – someone exactly like Laura.

"Hey, Mike?" Laura dropped her leather bag by the entryway umbrella stand and went to the bedroom to find her husband. He had threatened to move out three times this week. It was idle talk on his part, but Laura almost wished he would. She suspected that he was cheating but had no conclusive evidence to prove her suspicions. So, she let him go about creating his own undoing, half hoping he'd give her proof she could use against him; half terrified that if he did, she'd be forced into making serious decisions she was not ready to make.

"Hi." He stepped out of the shower smelling wonderfully masculine. "What's happening, counselor?" His greeting nipped her with a biting undertone he was either using, or she was creating by perception; Laura wasn't sure which was the case.

"Don't refer to me like that, Mike, at least in that tone." She stepped around him into the bathroom. "I'm your wife, not your attorney, and your tone shows disrespect." He was always so sarcastic these days. "I met Connor O'Brien today." Laura lowered her pantyhose and underwear and sat on the toilet.

"Who?" Michael peeked in through the bathroom doorway.

Laura let her urine flow, "That Irish guy who's been in the news; the one who killed the drunk driver who smashed his car into his wife and kids a year and a half ago on Christmas Eve."

"Who are you talking about? Your client or the dead guy?"

"What?" Laura reached to the toilet paper roll, but Michael had left it empty. "It'd be nice if just once you could replace the empty roll with a new one, Michael."

Her husband left the room to fetch a roll of toilet paper for her. Laura grabbed a Kleenex instead. Michael returned. "Let's go out and celebrate tonight. I got the McNeal account. I'll be making out like a fat pig now." He tossed her the roll of toilet paper. Laura pulled up her pantyhose and underwear.

"I've got some briefs to go over, Michael." She flushed the toilet and replaced the empty toilet paper holder with the new roll. "And besides, I just wouldn't feel right tonight drinking and driving. That's how..."

"Would you forget about your case, counselor?"

Laura turned in objection. "Why do you have to say that? '*Counselor*'. You say it like it's a bad word."

"Well it's never bothered you before when I called you that. In fact, it used to make you sassy." Michael left the bathroom mocking her scolding. "*Hey, Mikey, great job getting the McNeal account. I knew you could do it. I'm so proud of you, honey.*"

Laura followed him into the bedroom. "I *am* proud of you, Michael."

"You show it."

"Well, I didn't mean not to show it."

"So, what's the big deal about this guy?" Michael turned to look at her.

"Connor O'Brien?" Laura dropped her suit jacket onto the bed. "You really don't know? He's been getting all kinds of publicity on T.V., in the papers, on the radio... Rachael Gunner got the driver acquitted a few months ago. She's a really good DUI attorney; one of the best. Anyway, the DMV revoked this guy's license, but the criminal charges were dismissed. Everyone was calling it an outrage at the time. You don't remember hearing about it?"

"No, so this Connor O'Brien?" Michael dressed in a pair of Docker slacks and a khaki shirt. "Where's he fit in?"

"I can't believe you haven't heard about it. Everybody's been talking about it since Friday night." Laura stripped to her panties and bra and slid into jeans and a tee shirt.

Michael didn't pay her disrobing any attention. "Maybe in your professional circle people are talking about him, but not in mine."

Laura frowned. Their professional circles weren't that far removed. They were the perfect couple. They both had prosperous careers that kept their separate bank accounts well above the breakeven point; they had nice cars, though Laura rarely drove hers; a luxury condominium in the heart of John's Landing, a wealthy suburb of Portland, Oregon; and a perfect golden retriever. The only thing they didn't have were children. Michael didn't want children. Neither did Laura.

"Anyway," Laura continued. "Friday night, Connor O'Brien allegedly gunned down the driver who killed his family." Her return to the conversation made her feel strangely happy. "He..."

"*Allegedly?*" Michael scoffed at her choice of words. "I hate that lawyer speak. It's all about raising doubt in the face of uncontroverted fact."

Laura opened the barrette on the back of her head and let her hair fall in a cascade of golden waves down to her shoulders. "Doubt is what our legal system is based on. That's not a bad thing."

"It's about getting people off, counselor." Michael buttoned his shirt with growing impatience. Laura grabbed her hairbrush.

"Everyone is entitled to a good defense, Michael."

"Connor O'Brien included?"

"Especially Connor O'Brien; he reaffirms my conviction that good people are often accused of excusable crimes."

Michael rolled his eyes. "You actually believe you're doing the world some good, don't you? Getting these guilty assholes off... That's the problem with you."

"I am doing good!" Laura defended herself with emotion. "If we lose the right to defend ourselves, our constitution becomes meaningless. And besides, Connor deserves a defense. He tried walking away from the altercation, but the deceased didn't let him. He pulled a gun on him. That makes the shooting self-defense."

"*The deceased?* Doesn't he have a name, counselor? Or does that make him too personal?" Michael scoffed without apology. "You know what I don't like about you?"

"What?" Laura dropped her hairbrush on the bed and crossed her arms over her chest. The night was ruined. She could tell how it would end.

Michael made that clear. "You can rationalize yourself out of a bad dream. And the worst part about it is you don't even know when you're doing it anymore."

Laura didn't say anything. She wasn't sure if what he said was true or not. But she suspected Connor O'Brien would agree with her husband; and that troubled her.

Michael left the room before she could defend herself.

"Where are you going?" Laura followed him to the kitchen where she found him nursing a bottle of Corona that was already half empty. Two other empty bottles of beer stood discarded on the kitchen counter.

"Out. You coming, counselor? Or not?"

Laura didn't know how to answer. In court she rarely had doubt about her actions or what she should say. But here at home with Michael firing his questions at her... he always made her feel tongue tied. No matter how she answered, he'd find a reason to be mad at her.

"Not, I guess. I have to be ready for my case tomorrow." She was defending a woman being tried for animal abuse. The lady was a nut case keeping eighty-five cats in a travel trailer behind her house, but she'd been found to be sane so the trial would begin.

"Fine," Michael drained his bottle and went for his coat and car keys. "What's the name of that DUI attorney, 'cause I just happen to feel like getting drunk tonight."

Laura started the teapot so she could make a cup of hot water. "You're such a hypocrite, Michael." She'd have some instant soup for dinner and a diet Pepsi. "You have no respect for my career, but you refuse to abide by the law. You, of all people, should appreciate someone like me."

"Whatever..." Michael slammed the door behind him. Laura went to the kitchen window and watched for him outside. Michael's black Nissan sports car squealed out of the garage. Laura turned from the window and went to the kitchen table. She had so much work to do tonight. A young attorney in an established law practice always had lots to do.

Michael called her five hours later. "Hey, counselor..."

"Michael?" Laura turned a bedroom light on and looked at her clock. She'd been asleep for half an hour. "What's wrong?"

"You won't believe it when I tell you."

"Don't tell me..." Laura guessed the obvious, not truly believing that it could be true. "You got stopped for DUI." He deserved to get in trouble.

"Yeah, so don't give me any shit about it. I just want to know if I should blow, or..."

"What?" Laura pushed herself upright as reality shocked her into a more cognitive state. "Really?" She rubbed her tired eyes awake to spring into legal action. "Yes, blow, damn it. It's an automatic year suspension if you refuse a breath test, Mike. I'll call Mullen Price. He's a good DUI attorney, almost as renowned as Rachel Gunner. But he's expensive; not as expensive as Rachel, though."

"I'll probably blow the meter right off the fucking..."

"Shut up, Michael! You want to incriminate yourself?"

"I'm talking to my attorney, not confessing to the cops! So, what'll happen if I'm legally..."

"Drunk? With your clean record..." Laura could only hope nothing too bad; but this wasn't her area of expertise; defending drunk drivers was a very specialized niche of law, "A diversion program? I'm not sure. Probably a hefty fine, but nothing you can't live with. Did you have an accident or..." She could only pray that he didn't.

"No, the shit head cop just pulled me over. I wasn't even doing anything wrong."

Laura didn't doubt that. In her line of work, she'd become familiar with racial profiling, and police stereo-typing defendants. "It doesn't take much for probable cause on a traffic stop, Michael." Cops had all kinds of tricks up their sleeves that they used to legally pull someone over on little more than a hunch. Hispanics with blown headlights, African Americans who forget to use a turn signal... "Damn it." Laura couldn't believe his bad luck.

"He didn't read me my rights before he did his field sobriety thing on me. Can we get it thrown out? I really fucked it up."

Laura wished he'd stop talking about it. Their conversation was probably being recorded. "He doesn't have to give Miranda until you're under arrest, Michael. And a traffic stop is not considered a compelling situation indicating an arrest."

"The fuck it isn't! Like I could really just say, *No thank you, officer and drive away!*"

Laura agreed with a sigh, but the courts had decided differently. "Regardless of what you and I think, Michael, the courts have decided that you are not legally in custody when you're pulled over on a traffic stop. So, you can refuse the field sobriety test if you want; it is testimonial evidence that you do not have to give them."

"Well, shit. How was I supposed to know that?"

Laura didn't know. Most people had a lot of misconceptions about the ins and outs of traffic law. "I'll come get you."

"Okay, thanks, counselor."

"And Michael?" Laura climbed out of bed. "They'll take your license away if you blow over the limit, but they'll give you a thirty-day permit, so don't get abusive about it. They'll use a bad attitude as testimonial evidence against you – it indicates inebriation."

"Okay. Hey, counselor?"

"What?"

"I'm sorry about this evening."

"Me, too," Laura set the phone receiver on the hook and went to get dressed. Michael had been spending a lot of money lately. He'd purchased his new car, new clothes, a new cell phone, and an exclusive gym membership that he rarely even used. And he was going out a lot lately, living a large night life. She wasn't sure how well his wallet could absorb this kind of unexpected set back. Their bills were split fifty-fifty, but lately she'd noticed he was getting late notices.

"Hi." She'd presented herself as his lawyer when she arrived at the police station and was promptly escorted to the booking room where he was sitting.

Michael nodded at her entrance. "Go ahead, tell me I deserve this."

Laura refrained.

The police officer asked her to move from where she was standing. "I need him over here so we can take his picture."

Michael half smiled with silly humor. "Mugshots... Hey, counselor, shall we get a few copies made for the Christmas cards? What do you think?"

"I think pretty stupid." Laura wasn't amused.

"Yeah," Michael frowned. "I figured you would – as stupid as that O'Brien guy? Or stupider?"

Laura didn't answer.

"Yeah, I thought you'd think stupider." Michael smiled for the camera. The officer returned to his seat. Michael did too. "How come you always think your defendants are so justified in their actions, but when I mess up..."

"Michael, be quiet. You were advised of your Miranda rights, weren't you? Are you now choosing to waive your right to be silent?"

Michael glared at her public scolding. "I'm not talking to him, I'm talking to you, counselor."

He knew so little about the law. Laura sighed with attempted patience. "There is no expectation of privacy here, Michael, so there is no attorney/client confidentiality privilege. That means that anything you say here can and probably will be used against you. So please be quiet."

"Even when I'm talking to my lawyer? That's a crock of shit."

Laura rolled her eyes in silent restraint. "As your attorney, Michael, I'm telling you to be quiet. *I beg you.* We do not have privacy here."

"Fine." Michael tipped his chair backwards to rock on the back legs of it. "I think their breath machine is screwed up. No way did I blow a point one five. I'm not that drunk."

Laura gave up on him being quiet. "You can't dispute whether or not the intoxilyzer is working, Michael, so don't even go there."

"Why not? It can't ever break down or give a faulty reading?"

Laura let out a sigh wishing he'd just shut up about it. "You just can't dispute it, Michael. It's basically established law. Most of the hyper-technical defenses relating to the intoxilyzer have been done away with." She was really going to be tired in the morning and Michael was giving the officer a lot of incriminating evidence indicating a complete lack of sobriety.

"That's some bull." Michael belched into a palm. "Wow... good beer – even on the way up." He chuckled like his observation was a funny joke. "So, how am I going to get out of this, then, *Miss. Know-It-All* attorney who can make boo-boos go away?"

Laura leaned into the door-jam embarrassed by his question. He was obviously drunk but good DUI attorneys made a lucrative living out of raising enough doubt to get even the obvious thrown out. And that somehow seemed wrong tonight. "I don't know, Michael. Hypothetically, just for the

sake of conversation," she hoped talking in the abstract would make him be quiet, "A person can attempt to prove they weren't driving, if..."

"Oh yeah, Einstein, like that'll work. That dick head cop saw me sitting behind the steering wheel. So, what am I supposed to do? Say it wasn't me? Can't you do any better than that, counselor? Or is that the kind of cheesy defense that paying clients get out of you? Shit, they oughta get their money back, if that's the best you can do."

Laura didn't know how to respond to what he said. The scenario she had offered was the exact defense used by Armand Rosanti when he was acquitted on the DUI hit and run charges brought against him for killing Connor's family. His attorney had done a great job of creating reasonable doubt about who was driving his car the night it slammed into Connor O'Brien's family. *That was his legal loophole into freedom... sincerely the American legal system.* So, why couldn't Michael do something similar? Why didn't he deserve a second chance to reset his life?

"I only had a few drinks, Laura, five or six at the most. And the three beers at home, but shit, that was like hours ago. What time did I leave the house?"

Laura kicked her foot into the chair leg he was balancing on. "Quit talking about it, Michael. I mean it!"

He barely kept himself from toppling over. The police officer smiled at her with learned composure that would serve him well on the witness stand. "I think that about does it with us for tonight. This is your temporary driving permit."

"Gee, thank you Mr. Police Man. You're so kind to me... *asshole.*" Michael took it from his hand.

"And this is your traffic ticket."

"That's thousands of dollars!" Michael turned to stare at Laura, disbelief in his expression. "Can they do that?"

Laura turned to leave the room without answering. "Come on, I'm tired."

Michael stood from his chair and grabbed his jacket off the floor. "Fucking cops..."

Laura didn't say anything. Neither did the police officer. "Oh," Michael stopped and turned to look at him. "My car? Where is that now?"

The police officer stood to leave with them. "There's a receipt for it right there with your ticket. Call *Speed's* towing. You'll have to pay an impound fee when you pick it up."

"Shit. It'd better not be scratched or anything or I'm suing the pants off of you." Michael turned around to follow Laura through the door that she nearly let fall into his drunken face.

"So, how are you going to help me out of this? Seriously? I'm not paying thousands of dollars for this ticket."

Laura didn't look at him. "I can't help you on this one, Mike. You'll have to hire an attorney who specializes in traffic law. I left a message on Mullen Price's answering machine. He'll probably call you in the morning."

"How much will he cost?"

"More than your bar tab, Michael and more than that ticket." Laura left the police station with Michael on her heels. "And as much as you were talking in there... maybe more than your new car." Tomorrow would be a long day in court for her, and surely a distracted day.

"You can't defend me for free? You're my wife, for Christ sake. Don't you want to defend your own husband?"

Laura went to her car and opened the door. It was a four-year-old Ford Taurus – class without obnoxiousness. Tonight, it fit her mood. "I'm not even sure I want to stay married to you anymore, Michael. And I have no doubt that the anger I'm feeling right now would work against us in a court

of law. So no, I do not want to defend you." She half wanted him to learn his lesson the hard way. Connor O'Brien would want that from him.

"Oh great, now the ridicule starts."

Laura slid in behind the wheel without commenting and turned the ignition. Michael dropped into the car beside her. "How come you think I'm such an ass when I do something wrong, when your clients do stuff that's lots worse than anything I do, and you don't think they're assholes?"

Laura backed the car out of her parking space. "I can defend someone without endorsing their behavior, Michael. And since I don't have to sleep with my clients or wake up in the morning beside them, their mistakes don't become my problems. Morality and respect never become an issue between my clients and me."

"Yeah, right." Michael sulked beside her. "Sounds like shit, counselor."

Laura thought so too. "A lot of what we say to each other sounds that way under close scrutiny, Michael." Tonight, more than ever she felt like that; and not just about the things that were said at home. Laura couldn't stop thinking about Connor O'Brien. The only reason his family was dead, and he was now in jail tonight, was because someone like her had gotten someone like Michael off on all of the charges that were brought against him.