JAMES PATTERSON

SPECIAL FREE PREVIEW:
READ 17 CHAPTERS FREE!

12TH

OF NEVER

The new WOMEN'S MURDER CLUB novel

& MAXINE PAETRO
12th of Never

James Patterson
AND
Maxine Paetro

LITTLE, BROWN AND COMPANY
NEW YORK  BOSTON  LONDON
PROLOGUE

A DARK AND STORMY NIGHT
I WOKE UP to a sharp report, as if a gun had gone off next to my ear. My eyes flew open and I sat straight up in bed.

I yelled “Joe,” but my husband wasn’t lying next to me. He was in an airplane, thirty-five thousand feet above the heartland, and wouldn’t be home until the morning.

There was another ferocious crack and my bedroom brightened with lightning that snapped and wrapped around the windows. A boomer shook the window frames and sheets of rain lashed the glass. I was so distracted by the vicious storm that it took me a second or two to register the wave of pain that came from my belly and washed right through me.

Oh, man, it hurt really bad.
Yes, it was my own fault for gorging on refried beans for dinner, then chasing down the Mexican leftovers with rigatoni marinara at ten.

I looked at the clock—2:12 a.m.—then jumped at the next seismic thunderclap. Martha whined from under the bed. I called to her. “Martha. Boo, honey, whatchoo doin’? It’s just a storm. It can’t hurt you. Come to Mama.”

She flapped her tail against the carpet, but she didn’t come out. I swung my legs over the bed and flipped the switch on the bedside lamp—and nothing happened. I tried a couple more times, but damn it—the light wouldn’t go on.

The power couldn’t be out. But it was.

I reached for my Maglite, accidentally knocked it with the back of my hand, and it flew off the night table, rolled under the bed, and went I don’t know where.

Lightning branched down and reached across the black sky, as if to emphasize the point that the lights were out as far as the eye could see.

I grabbed the cordless phone and listened to dead air. The phones were out, too, and now I was feeling that weird wave of stomach pain again. Yowee.

I want to be clear. I was feeling a wave, not a contraction.

My age classifies me as an “elderly primigravida,” meaning over forty, pregnant with my first child. I had seen my doctor yesterday morning and I’d checked out fine. The baby had checked out fine, and wasn’t due for another week.

I had booked a bed on the birthing floor at California Women’s Hospital, and although I’m not the organic granola type, I wanted to have the whole natural childbirth experi-
ence. The truth was, this baby might be the only one Joe and I would ever have.

Another wave of pain hit me.

To repeat, it was not a contraction.

I staggered out to the living room, found my handbag—an item I hadn’t needed in several weeks—and dug around until I found my iPhone. The battery bar was showing that I had only 10 percent of a full charge. Too damned little.

I leaned against a wall and went online to see what kind of storm was beating up San Francisco.

The squall was even worse than I thought. Twenty thousand families were in the dark. People were stuck in elevators between floors. Signs and other detritus had been flung through windows. Cars had skidded across roads, crashed, and flipped. All emergency vehicles had been deployed. Emergency rooms were flooded with patients and downed power lines were sparking on the streets.

This was shaping up to be one of the worst storms in SF history. Headlines quoted the mayor: STAY IN YOUR HOMES. THE STREETS ARE UNSAFE.

Martha slunk over and collapsed on top of my feet.

“We’re going to be okay,” I cooed.

And then that pain came over me. And it flipped me out.

“Go away,” I yelled at Martha. “Go away.”

She ran.

“I’m sorry, Boo,” I said to my whimpering dog. “These are false contractions. If they were real, I would know it.”

I grabbed my knees—and that’s when my water broke.
No way!
I could not comprehend what was happening—it could not be happening. I wasn’t ready to have the baby. It wasn’t due for another week. But ready or not, this baby was coming.

_God help me._
My little one and I were really in for it now.
Two

I WANTED TO abandon my body.

Yes, that sounds insane, but that’s how I felt—and it was all that I felt. I clicked the light switch up and down, picked up the landline.

Still no power and no phones; neither would be restored until the sun threw some light on the situation. I had five minutes of battery left on my iPhone, maybe less.

I speed-dialed my doctor, left a message with her service, then called the hospital. A nice woman named Shelby asked me, “How often are your contractions coming?”

“I don’t know. I didn’t time them. I didn’t even know I was having them.”

“Lindy?”

“Lindsay.”
“Lindsay, your water breaking means you’ll be in labor for a while yet. You could deliver in three hours or three days, but don’t worry. Let me explain about three-one-one.”

I knew about 311. But still I listened as Shelby explained that 311 was the rule for what to do when your contractions come every three minutes, last for one minute, and that pattern repeats for at least one hour: you go to the hospital.

“Are you kidding me?” I screeched into the phone. “Because, listen! I’m alone and I’ve never done this before.”

“Do not come in until you’re in active labor,” Shelby said. “Stay home, where you’re comfortable.”

I yelled, “Thanks!” snapped off my phone, and walked my enormous baby bump to the window. I was breathing hard as I looked up Lake Street in the direction of my chosen hospital. There was no traffic, no traffic lights. The street was closed.

A tremendous burst of lightning cracked the sky open and sent Martha skittering under the couch. It was crazy, but I was starting to like the storm, even though it had sucked all the air out of the room.

It was hot. Damned hot. I kicked off my XXL pj’s and another painful wave took my breath away. It was as if a boa constrictor had wrapped itself around my torso and was squeezing me into the shape of a meal.

I was scared, and it wasn’t all about the pain.

Babies got strangled by umbilical cords. Women died in childbirth. Elderly primigravidas were more at risk than younger women, and old babes like me weren’t supposed to
do childbirth by themselves. What if there were complications?

Claire Washburn is my best friend. She is San Francisco’s chief medical examiner—a forensic pathologist, not an obstetrician, but hell. She’d had three babies. I knew she could talk me through this. At least she could try.

I dialed and Claire answered with a groggy “Dr. Wazjjjbrn.”

“Claire. It’s too soon to go to the hospital, I know, but yow. I think I can feel the baby’s head down there. What should I do?”

“Don’t push!” my best friend shouted at me. “I’m calling nine-one-one right now.”

I shouted back at her, “Call a private ambulance service so I can go to the Women’s Hospital! Claire, do you read me?”

Claire didn’t answer.

My phone was dead.
Three

MY RAGING RIVER of hormones was sending a single, unambiguous message.

*Push.*

Claire had said, “Don’t push,” and that sounded both insane and impossible, but I got her drift. The baby was safe inside me until help arrived.

It must have taken me ten minutes to walk to the front door and unlock it and another ten minutes to ease my throbbing, hurting self into bed.

I knew that Claire wouldn’t let me down, that she had probably thrown the weight of her office behind the 911 call. I put my birthing instincts in park and thought with my entire being, *I’m in God’s hands now. All I can do is make the best of this and hope that the baby is safe. That’s all I can do.*
Martha got up on the bed and curled up next to me. I put my hand on her head and I resisted my contractions. I heard noises, someone calling “Hellooo” — sounds that were far outside my tunnel of pain. I put my hands up against blinding flashlight beams and then, like a force of nature, all the lights went on.

_The power was back._

My bedroom was filled with strapping men standing shoulder to shoulder in a line that stretched from the door to the bed and ran along both sides of it. There had to be at least twelve of them, all with stricken, smoke-smudged faces, all in full turnout gear. I remember staring at the reflective tape on their jackets, wondering why a dozen firefighters were crowding in on me.

I shouted, “Where’s the fire?”

A large young man came toward me. He was at least six four, with a buzz cut, a still-bleeding gash on his cheek, and a look of deep concern in his eyes.

He said, “I’m Deputy Chief Robert Wilson. I’m called Robbie. Take it easy. Everything is going to be okay.”

Really? Then, I realized that a fire rig had been closer to the apartment than an ambulance and so firefighters had answered the 911 call.

I said, “This is embarrassing. My place is a mess.”

I was thinking about my clothes strewn all over the place, dog hair on the bed, somehow forgetting that I was completely naked with my legs spread apart.

Robbie Wilson said, “How are you doing, Sergeant?”

“I’m having a baby,” I said.
“I know. You take it easy now.”
He fitted an oxygen mask to my face, but I pushed it away.
“I don’t need that.”
“It’s for the baby,” he said. He turned to the gang of firemen and shouted, “I need boiling water. I need towels. A lot of them.”
Did I have any clean towels? I didn’t even know. I pushed the mask away again and grunted at Robbie, “Have you ever delivered a baby?”
He paused for a long moment. “A couple of times,” he lied.
He said, “You can push now, Sergeant. Go ahead and try.”
I did it. I pushed and grunted and I lost track of the time. Had an hour passed?
It felt as though the baby were grabbing my rib cage from the inside and holding on with both fists. The pain was agonizing and it seemed that I would never get Baby Molinari out of my body and into the world. Just when I thought I had spent my last breath, my baby slid out of my body into Robbie’s baseball-glove-size hands.
I heard a little cry. It was a sweet sound that had the special effect of putting the pain behind me, hugging me around the heart.
“Oh, wow. She’s perfect,” said Big Robbie.
I peered into the light and said, “Give her to me.”
I wiggled my fingers in the air as someone cut the cord and cleaned up her little face. And then my baby was in my arms.
“Hello, sweet girl.”
She opened her eyes to little slits and she looked right at me. Tears fell out of my eyes as I smiled into my daughter’s face. A bond was formed that could never be broken; it was a moment I would never, ever forget.

My little girl was perfect and as beautiful as a sunrise over the ocean, as awesome as a double rainbow over swans in flight.

It’s too bad the word miracle has been overused, because I swear it’s the only word that fit the feeling of holding my daughter in my arms. My heart swelled to the size of the world. I only wished Joe had been here.

I counted my baby’s fingers and toes, talking nonsense to her the whole time.

“I’m your mommy. You know that, baby girl? Look what we’ve done.”

But was she really okay? Was her little heart beating at the right pace? Were her lungs filling with enough air?

The big dude said, “You should both have a thorough checkup. Ready to go to the hospital, Sergeant?”

“We’re going in the fire rig?”

“I’ll make room in the front seat.”

“Oh, good,” I said. “And please, amp up the sirens.”
BOOK I

THREE WEEKS LATER
YUKI CASTELLANO PARKED her car on Brannan Street, a block or so away from the Hall of Justice. She was lucky to have gotten this parking spot, and she took it as a good sign. Today she was glad for any good sign.

She got out of her car, then reached into the backseat for her briefcase and jacket. Then she set off toward the gray granite building on Bryant Street, where she worked as an assistant district attorney and where, in about an hour, she would prosecute a piece-of-crap wife and child killer named Keith Herman.

Keith Herman was a disbarred attorney who had made his living by defending the most heinous of slime-bucket clients and had often won his cases by letting prosecution witnesses know that if they testified, they would be killed.
Accordingly, witnesses sometimes fled California rather than appear against Herman’s clients.

He’d been charged with witness tampering, but never convicted. That’s how scary he was. He was also a registered sex offender, so that made two juicy bits of information Yuki couldn’t tell the jury because the law said that she couldn’t prejudice the jury by citing his prior misdeeds.

So Yuki had been building the case against Herman based on evidence that he’d killed his wife, dismembered her body, and somehow made his young daughter disappear, arguably a harder charge to prove because the girl’s body had not been found.

Yuki had been doing nothing but work on the Herman case for the last five months and now, as the first day of the trial arrived, she was stoked and nervous at the same time. Her case was solid, but she’d been surprised by verdicts that had gone against her in cases as airtight as this one.

As she turned the corner onto Bryant, Yuki located the cause of her worry. It was Keith Herman’s defense attorney, John Kinsela, who, right after Keith Herman, was probably the sleaziest lawyer in the country. He had defended legendary high-profile killers and had rarely lost a case.

And he usually destroyed the reputations of opposing counsel with innuendo and rumors, which he leaked as truth to the press.

Yuki had never gone up against Kinsela before, but Kinsela had shredded her boss, Leonard “Red Dog” Parisi, in a murder trial about two years ago. Parisi still hadn’t gotten over it. He was pulling for Yuki, giving her his full sup-
port, but it wasn’t lost on Yuki that he wasn’t trying the case himself.

Red Dog had a bad heart.

Yuki was young, fit, and up for the challenge of her life.

Yuki walked quickly toward the Hall, head bent as she mentally rehearsed her opener. She was startled out of her thoughts by someone calling her name. She looked up, saw the good-looking young guy with the blond cowlick and the start of a mustache.

Nicky Gaines was her associate and second chair in this trial. He was carrying a paper bag.

“Damn, you look good, Yuki.”

Gaines was five years younger than she was, and Yuki didn’t care whether he really did have a crush on her or if he was just flattering her. She was in love. And not with Nicky Gaines.

“You have coffee in there?” Yuki asked.

“Hot, with cream, one sugar. And then I’ve got the double espresso for you.”

“Let’s go straight to the courtroom,” Yuki said.

“How are you feeling about this?” Gaines said, walking up the steps along with her.

“Like if I don’t get a double-barreled conviction, I may kill Keith Herman myself.”
Chapter 2

WHEN JENNIFER HERMAN’S dismembered body turned up in eight separate garbage bags, and when seven-year-old Lily Herman hadn’t been found despite the exhaustive police search conducted over a six-month period, Keith Herman was tried in the press and found guilty of murdering them both.

The intense media attention had whipped up a lot of hatred toward Keith Herman. It made it nearly impossible to find a jury who hadn’t watched the network specials, hadn’t seen the rewards offered for information about the missing child, and hadn’t formed an opinion as to the guilt of the accused.

And so jury selection had taken almost three weeks.
Now the press filled half the gallery in courtroom 202,
Superior Court of California, County of San Francisco. The other half of the room was filled with citizens who had lined up early enough that morning to have scored one of the precious seats.

At 8:23 a.m. Yuki was at the prosecution table in the blond-wood-paneled courtroom. Her laptop was open and as she went through a long e-mail from Red Dog, she hoped all her witnesses would show up to testify—that they hadn’t been silenced or intimidated (or worse) by the opposition.

Across the aisle, at the defense table, sat two ordinary-looking men who were actually two of the scariest people Yuki had ever met. Keith Herman was paunchy, bald, and had black eyes that looked like bullet holes in his unlined, babyish face. Not all psychopaths look homicidal, but Keith Herman did. Herman had never shown any remorse, not while identifying the sections of meat that had once been his wife, not while discussing his missing daughter.

Herman’s attorney, John Kinsela, was tall with thinning gray hair and a bloodless complexion that made him look as though he climbed out of a coffin at night. Unlike his client, Kinsela was smooth. He expressed sadness and regret. He listened thoughtfully and spoke well and persuasively on camera. He passed as a reasonable facsimile of a person. A little digging into his past had turned up five divorces and the ownership of a Glock semiautomatic, which he carried at all times.

Yuki had been with these ghouls through countless hours of depositions and felt that she knew them too well.

She had dressed this morning in a bright red suit because
she had a slight build, could look younger than her years, and because of the fact that red made her look and feel more powerful.

You couldn’t hang back in red. You couldn’t hesitate. You really had to live up to red.

She also wore a gold star on a chain around her neck, a graduation-from-law-school gift from her mother, who had been murdered several years earlier.

Wearing the star kept Keiko Castellano present in Yuki’s mind and might even help her to win.

She had to win.

This was a tremendous opportunity to get justice for the victims, to become a hero to female victims everywhere. It was also an opportunity to be humiliated by a savage attorney and his perverted, murdering client.

It was her job to make sure that Keith Herman didn’t get out of jail—ever.

The buzz in the gallery intensified, then cut off suddenly as the door leading from the judge’s chambers opened behind the bench and Judge Arthur R. Nussbaum entered the courtroom.
YUKI HALF LISTENED as Judge Nussbaum instructed the handpicked jury of six men, six women, and four alternates, who were as diverse a group as could be imagined: black, white, brown, white-collar, and blue-collar.

Nussbaum had been a clever trial lawyer, but the judge was new at his job and Yuki was sure he would play this one by the book.

When he asked her if she was ready to begin, she said she was. Gaines whispered, “Go get ’em,” and Yuki stood, greeted the jury, and walked confidently to the lectern in the well of the courtroom. Then, without warning, she blanked. She couldn’t remember the first sentence in her opener, the key that would unlock her carefully wrought statement.
Yuki looked over at Gaines. He smiled, nodded, and her mind unfroze. She said, “The defendant, Keith Herman, is a killer, and the evidence in this case will show you that the people who depended on Mr. Herman, the ones who looked to him for protection and love, are the people who should have feared him the most.”

Yuki paused to let her words sink in, looked at every member of the jury, and began to lay out her case.

“On March first, a day like any other, Keith Herman tucked his daughter’s lifeless body into the backseat of his Lexus, and she was never seen again. Jennifer Herman, Keith Herman’s wife, never reported her daughter missing, because as her husband was driving off with their daughter, Jennifer Herman was already dead by her husband’s hand.

“You will hear testimony that before she disappeared, Jennifer Herman told a friend on several occasions that she was afraid of her husband and that if anything ever happened to her, the friend should go to the police. Which this friend did. Had Lesley Rohan not called the police, they wouldn’t have looked for Jennifer Herman and her body would have been buried under several tons of garbage in a landfill.

“You will hear testimony from another witness, an under-cover police officer, who will tell you that he was offered one hundred thousand dollars by the defendant to kill Jennifer Herman.”

Yuki’s mind unclenched. She knew that she had gotten into the rhythm and the beat of her perfectly choreographed and well-rehearsed presentation. She was in a great groove.
She told the jury about the witnesses she would introduce—the sanitation worker who found the body of Jennifer Herman in eight separate garbage bags and the forensic pathologist who would talk about Jennifer Herman’s cause of death.

She walked to the counsel table and picked up an 8 x 10-inch color photo of a young child with dark wavy hair and a captivating smile. Carrying the picture in both hands, Yuki showed it to the jury as she walked along the length of the railing.

“This beautiful child is the defendant’s daughter, Lily, who has been missing for over a year. You will hear from a neighbor’s housekeeper, Maria Ortega, that a month before Lily disappeared, she became moody and withdrawn and that there were bruises on her arms and legs. Ms. Ortega will testify that she reported her suspicions to the police.

“The state,” Yuki said, keeping eye contact with the jury, “does not have to prove motive, but if I were sitting in the jury box, I’d be asking, ‘Why would the defendant, a man with wealth and means, decide to put his entire life in the toilet? Why would he kill the beautiful woman who was his wife, and the wonderful little girl who was his daughter?’

“Did Mr. Herman abuse his little girl, and did his wife catch him at it and try to protect their daughter?”

Kinsela shot to his feet. “Your Honor, this is argument.”

“Overruled.”

Yuki didn’t hesitate.

She stepped on the gas.

She said to the jury, “Did Mr. Herman physically abuse his
James Patterson

little girl? Did Mr. Herman kill his wife when she tried to protect their daughter? What was his motive for murdering his loved ones?

“That question is going to haunt me for the rest of my life.”
WHEN SHE STOOD behind the lectern, Yuki felt like a little kid peering up over the edge of a table. So she stayed close to the jury box and spoke loudly enough for everyone in the courtroom to hear.

“We can’t know what was in the defendant’s mind when he took the lives of his wife and daughter, and the victims can’t tell us,” she said.

“We don’t have to know or prove motive, but we do have a witness, Ms. Lynnette Lagrande, who will testify that the defendant wanted to ditch his family. She will testify that she was in love with Keith Herman, that Mr. Herman said that he loved her and wanted to marry her. And so Ms. Lynnette Lagrande, a model citizen, patiently waited for Mr. Herman to make good on that promise for the last three years.”
There had been no coughing in the gallery, no shuffling in the jury box, and even when the defense team attempted to distract the jurors and the audience, Yuki had kept all the attention on herself.

But when she said that Lynnette Lagrande would give evidence proving that the defendant wanted to leave his family, John Kinsela snorted—what passed for laughter in his corner of the underworld. Yuki’s cheeks burned, but she didn’t even flick her eyes in opposing counsel’s direction. She had to bring her opening home.

She moved her glossy black hair away from her face, hooked it around her ears, and said to the jury, “The defense will tell you that there is no evidence connecting the death of Jennifer Herman to Keith Herman. They will say that Keith Herman’s fingerprints and DNA were not on the garbage bags—that in fact, Mr. Herman never saw his wife or daughter the day our witness saw him leave his house and put his daughter into his car.

“The defense will impugn the character and the veracity of Mr. Herman’s lover.

“They will tell you that the defendant was misidentified by his neighbor and will maintain that since the body of Lily Herman has never been recovered, there is no evidence that she is even dead.

“So I ask you and I ask them,” Yuki said, pivoting so that she was staring the defendant and his counsel down. “Where is Lily Herman? Where is that little girl?

“The defense will tell you that the people’s case is all based on circumstantial evidence. We have nothing to hide. We
cannot put a gun in Mr. Herman’s hand. But circumstantial evidence is real evidence.

“If you go to bed one night and in the morning you see snow in your front yard and there are footprints in that snow, that is circumstantial evidence that snow fell during the night and that someone walked across your yard. You don’t have to actually see the snow falling to conclude that there was snowfall.

“So why are we all here today, ladies and gentlemen?

“We submit to you that Keith Herman did brutally kill Jennifer and Lily Herman so that he could, for once and for all, be free to pursue his life as a wealthy widower and come to the party with no baggage and no financial overhead.

“We cannot let him get away with it. At the conclusion of this trial, you will have evidentiary proof that the defendant did callously commit two premeditated murders.”

The words were just out of Yuki’s mouth when John Kinsela laughed noisily again and once more drew the eyes of the jury to himself.

Yuki sharply objected.

Judge Nussbaum sustained her objection and Kinsela apologized for the interruption. But he had stolen her moment, broken the mood. And he had the jury’s rapt attention as he stood to make his opening statement.
JOHN KINSELA BUTTONED his jacket and ran his hand across the lower half of his face. He achieved a look of contrition, as though he was sorry for the interruption.

It was all theatrics.

Yuki hoped the jury could read him as the drama whore he was.

“Folks, again, I’m sorry to have made light of the state’s opening statement. It was rude, but unintentional. The prosecutor is doing her job, a very difficult one, I assure you, because there is no evidence linking my client to any crime.”

Kinsela put his hands into his pockets, sauntered out into the well, and continued his conversation with the jury.

“As the prosecutor said, there is no blood, no DNA, no gun in Mr. Herman’s hand. There is no direct evidence
against Mr. Herman, because my client didn’t kill anyone, and the circumstantial evidence, such as it is, does not tie him to the death of his wife.

“Mr. Herman is one of the victims here. He loved his family and is devastated by their loss. And yet, as Ms. Castellano told you, he was having an affair with Ms. Lagrande.

“For a married man to have an affair may be bad behavior, but it’s not a crime. If it were a crime, about sixty-five percent of married men in the United States would be in the slammer.”

There was a ripple of laughter in the courtroom, which Judge Nussbaum banged into silence with his gavel. He admonished the audience, and told them that he could have individuals removed or the entire courtroom emptied.

“You are here at my discretion,” Nussbaum warned. “Go on, Mr. Kinsela.”

And Kinsela did.

“Ms. Lagrande has a little cottage in the woods a few hours up the coast. She and Mr. Herman drove up there in her car on the afternoon of February twenty-eighth. My client was spending the night with Ms. Lagrande when the crimes presumably took place. They didn’t see anyone and no one saw them. That is often the nature of a clandestine affair.

“Now, Ms. Lagrande is going to tell you that she was not with Mr. Herman the day that Jennifer Herman’s body was found, the day Lily Herman tragically disappeared. She’ll say Mr. Herman is making that up to give himself an alibi.

“Why is she going to betray Mr. Herman? Because they fought that weekend and Mr. Herman ended the affair.
Ms. Lagrande is a woman scorned, and she’s not just my client’s alibi, she is the prosecution’s entire case.

“The neighbor misidentified Mr. Herman and a car that is the same model as the one Mr. Herman owns. Lily Herman did have bruises, but she had them because she had a temper tantrum. Her father wouldn’t buy her a dress she wanted and she flailed and kicked at Mr. Herman and he tried to restrain her. There was no beating, no call to the police, nothing like that.

“If he could, he would buy her a million dresses now.

“Mr. Herman did not report that his wife and daughter were missing on March first because he didn’t know it. He was occupied with Ms. Lagrande at the time of this tragedy, which has unquestionably destroyed his life.

“That’s it, folks. That is our case. Mr. Herman didn’t kill anyone. This trial is about whether or not you believe Ms. Lagrande beyond a reasonable doubt.”

John Kinsela thanked the jury and sat down. For a second, Yuki couldn’t quite believe that Kinsela had singled out her star witness, shot a cannonball at her, then took a bow.

Yuki had hoped he would do exactly that. It was now in Kinsela’s best interest to strip Lynnette Lagrange’s testimony bare, break her, and throw her bones under the bus. He could only do that if she testified.

Her witness would appear.

Lynnette Lagrange, a woman with an exotic dancer’s name, was in fact a grade-school teacher, twenty years younger than the defendant, and possessed of a spotless reputation. She’d never gotten so much as a parking ticket in her life.
Gaines showed Yuki the cartoon he had doodled on his iPad. It was a Yuki character dunking a basketball into a net. Yuki never liked to say that a case was a slam dunk.

But the battle was shaping up and Yuki liked the look of the field.

“We’re good,” she whispered to Gaines as the judge called the court into recess. “We’re looking good.”
Chapter 6

JULIE HAD BEEN wailing since we left the hospital, hardly stopping before revving her engine and howling again. It had been going on for weeks and I was mystified and a little alarmed.

What was wrong? What was she trying to tell us?

It was just about 8:00 p.m. when Joe settled me into the big rocker in Julie’s room. I reached up and Joe handed me our screaming little bundle of distress. I tried to nurse her again, but as usual, she refused me.

What was I doing wrong?

I said, “Please don’t cry, baby girl. Everything is okay. Actually, everything is perfect.”

She took in another breath and cried even harder. As much as her first cry felt like a hug around my heart, now her cries felt like my heart was being squeezed in a vise.
“What is it, darling? Are you hot, cold, wet?”
She was dry.
“Joe, she’s hungry. Okay, she might nurse a little bit if we
wait her out. But listen, she clearly prefers the bottle.”
“Be back in a sec,” Joe said.
I rocked my daughter. Even with her fists waving and her lit-
tle face as pink as a rose, she was a spectacular, fully formed
human being made from love. I was in awe of her perfection.
And more than anything, I wanted her to feel good.
I jounced her in my arms and sang a nonsense song that I
made up as I went along. “Ju-lee, you’re breaking my heart.
What can I do for my bay-bee?”
I fished an old Irish lullaby from the vault of long-buried
memories, and then hauled out a couple of nursery rhymes.
Mice ran up a clock, cradles rocked, but nothing worked.
Joe appeared, like a genie, with a warm bottle of formula.
I tested a drop on the back of my hand, and then I tried the
bottle on Julie. And—thank you, God—she began to suck.
I was elated. Euphoric. Ecstatic. Julie was eating. Joe and
I watched our daughter pulling at the bottle with intense
attention, and when a few ounces had gone down and she
turned away from the bottle, Joe said, “I’ll take her, Blondie.
You go to bed.”
He put Julie over his shoulder and burped her like a pro.
“I love you, Julie Anne Molinari,” Joe said to our baby.
“You’ve told her twenty eleven times today. She knows it,”
I said, standing up and kissing my husband.
“She can’t hear it too much. This is the happiest I’ve ever
been in my life.”
“I believe that. But I think something is bothering you,” I said.

“God. I can’t sneak anything past you, Blondie. Even when you’re dog-tired. Even when you shouldn’t notice anything but Julie’s fingers and toes.”

I felt the first frisson of alarm.

“Is something going on? Tell me now.”

Joe sighed. “How can I put this delicately? I got fired.”

“What? Come on. Don’t kid with me about this.”

I was searching his eyes, looking for the joke.

“Really,” Joe said. He looked embarrassed. Honest to God. I’d never seen this look on his face before.

“I got axed. It’s being chalked up to cutbacks due to the financial deficit. Naturally, freelancers are the first to go. Don’t worry, Linds. I know things about homeland security very few people know. As soon as the word gets out, I’ll get calls.”

My mouth was dry. My heart was thudding almost audibly.

I make a cop’s salary. It isn’t bad money, but it wouldn’t support our airy three-bedroom apartment on Lake Street, which Joe had rented when he was working for the government as deputy director of Homeland Security.

When he was making a ton.

“How much money do we have?”

“We’ll be fine for quite a few months. I’ll find a job before we run dry. We’ll be fine, Lindsay,” he said. “I’m not going to disappoint my two fabulous girls.”

“We love you, Joe,” I said.

Our little daughter started to cry.
YUKI WAS NAKED, lying flat on her back on the bedroom carpet, panting, her pulse slowing after her heart’s wild gallop over the hills during the morning’s romp.

She turned her head and looked at her gorgeous and in every way fantastic lover.

“I’m sorry,” she said. “I tried, but I was distracted. Thinking about other things.”

Brady laughed.

He rolled toward her, put his arm across her body, and pulled her to him. “You’re too much fun. I’m crazy about you, you know that?”

She knew. She was crazy about him. Was this just the best sex she’d ever had? Or were she and Brady traveling in lockstep toward the real deal?
She touched Brady’s mouth and he kissed her palm. She swept his damp blond hair back from his eyes and kissed the side of his mouth.

He took her face in one hand and kissed her lips and she felt him start to get hard again. He grabbed her by the shoulders and shook her gently, saying, “I hate to do it, but I’ve got to leave.”

Brady was Lieutenant Jackson Brady, head of the homicide squad, SFPD, Southern District. Yuki reached down and ran her fingers up his leg, stopping at the round pink scar on his thigh, where he took a bullet that nicked his femoral artery. It was sheer good fortune that he had gotten to the hospital in time.

She said, “Me, too. I’ve got court in an hour.”

Yuki got up, pulled her robe from the bedpost, and started for the kitchen of the condo her mother had left her. In a way, Keiko Castellano still lived here. She often talked to Yuki, although not out loud. It was as though Keiko’s voice, her opinions, her experiences were so embedded in Yuki’s mind that Keiko was just always there.

Now her mother said, “You good girl, Yuki-eh, but foolish. Brady still married. Look what you doing.”

“You shouldn’t be watching,” Yuki muttered as she picked pillows off the floor and threw them onto the bed.

“I can’t help myself,” Brady said. He zipped up his fly and reached for his shirt. “You’re so very cute.”

Yuki grinned, slapped his butt. He yelled, “Hey,” grabbed her, lifted her into his arms, kissed her.

Then Brady said, “I wanted to tell you about this case.”
“Start talking.”

As Yuki made coffee, she mentally rebutted her mother’s commentary, telling Keiko that, as she well knew, Brady was separated, and his soon-to-be-ex-wife lived in Miami, as far across the country as possible.

Brady was saying, “You’ve heard of Jeff Kennedy?”

Yuki poured coffee into Brady’s mug.

“Basketball player.”

“He’s a 49er, sweetie. His girlfriend turned up dead in her car, couple miles from his house.”

“Homicide? And you think this Niner is the doer?”

Brady laughed, shook his head. “You’re a tough talker.”

Yuki put her hands on her hips and grinned at him. “It’s been said more than once that I’m one tough cookie.”

Brady took a sip of coffee, put the mug in the sink, put his arms around Yuki, and said, “Kill ’em in court today, Cookie. I’ll call you later.”

He kissed the center part in her hair and went for the door.
AT NINE THAT morning, Dr. Perry Judd walked through the swinging half door at the entrance to the homicide squad room and demanded the attention of a detective, saying, “I want to report a murder.”

Conklin had walked Dr. Judd back to Interview 2 and had been trying to get a straight story ever since.

Dr. Judd said that he taught English literature at UC Berkeley. He was fifty, had brown hair, a goatee, and small eyeglasses with round frames the size of quarters. His jacket and button-down shirt were blue, and he wore a pair of khakis with a pleated front.

He had seemed to be a solid citizen.

“I was going into Whole Foods on Fourth Street last night,” Judd said. “There was a woman right in front of me
and it just happened that I followed her into the store. She said hello to one of the cashiers. I got the feeling she was a regular there.”

The professor then described the woman in extraordinary detail.

“She was blond, about two inches of black roots showing. She was about forty, a ‘squishy’ size ten, wore a white blouse with a ruffled neckline and a necklace. Green beads, glass ones.”

Judd had gone on to say that the woman had been wearing sandals, her toenails painted baby blue.

Then the professor had gone completely off-road. He began quoting from obscure books, and although Conklin seriously tried to get the connection, the guy sounded psycho.

Conklin liked to let a witness lay out the whole story in one piece. That way he could shape and sharpen his follow-up questions and determine from the answers if the witness was telling the truth or talking crap.

Dr. Judd had stopped talking altogether and was staring into the one-way glass behind Conklin’s back.

Conklin said, “Dr. Judd. Please go on.”

The professor snapped back to the present, then said to Conklin, “I was thinking about The Stranger. You know, by Camus. You’ve read it, of course.”

Conklin had read The Stranger when he was in high school; as he remembered it, the story was about a murderer who had separated from his feelings. Not like a psychopath who didn’t feel—this killer had feelings, but was detached from them. He watched himself commit senseless murders.
What could this 1940s novel by Camus possibly have to do with a woman shopper at Whole Foods?

“Dr. Judd,” Conklin said. “You said there was a murder?”

“This woman I described went to the frozen-foods section, and I was going there myself to get a spinach soufflé. She reached into the case and pulled out a pint of chocolate chip ice cream. She was turning back when three muffled shots rang out. She was hit in the back first, then she whipped around and was hit twice more in the chest. She was dead by the time she hit the floor.”

“Did you call the police?”

“No. I didn’t think to do it until now.”

“Did you see the shooter?”

“I did not.”

“Were there any other witnesses?”

“I honestly don’t know,” Judd said.

Conklin was a patient guy, but there were eleven open case files on his desk, all of them pressing, and Perry Judd was a waste of time.

Conklin said to the professor, “You said you teach writing. You’re also a creative writer, right?”

“I write poetry.”

“Okay. So I have to ask you—no offense—but did this murder actually happen? Because we have had no reports of any kind of homicide at any supermarket last night.”

“I thought I had said I dreamed it last night. It hasn’t happened yet,” said Perry Judd. “But it will happen. Have you read Nausea by Jean-Paul Sartre?”

James Patterson
Conklin tossed his pen onto the table, pushed back his chair, and stood up.

He said, “Thanks for your time, Professor. We’ll call you if we need to talk with you again.”

There was a knock on the mirrored glass.

Conklin got up, stepped outside the room.

MacKenzie Morales, the squad’s extremely attractive summer intern, looked up at him and said, “Rich, could I talk to Dr. Judd for a minute? I think I can get to the bottom of this.”
MACKENZIE MORALES, A.K.A. Mackie, was twenty-six, the single mother of a three-year-old boy. More to the point, she was smart, going for her PhD in psychology. She was working in the homicide squad for no pay, but she was getting credit and doing research for her dissertation on criminal psychopathy.

Conklin was finished with Perry Judd, but what the hell. If Morales wanted a shot at making sense out of crap, okay—even though it was still a waste of time.

Morales took a chair next to Dr. Judd and introduced herself as Homicide’s special assistant without saying she was answering phones and making Xerox copies. She shook Judd’s hand.

“Do I know you?” Professor Judd asked Morales.
“Very doubtful. I was going through the hallway,” she said, pointing to the glass, “and I heard you mention Sartre’s novel—”

“Nausea.”

“Oh, my God, I love that book,” Morales said. “I’m a psych major, and the protagonist in Nausea is the very embodiment of depersonalization disorder, not that they called it that back then.”

“Depersonalization. Exactly,” said the professor. He seemed delighted. “Separation from self. That’s what this dream was like. If it was a dream. The imagery was so vivid, it was as if I were having an out-of-body experience. I watched a woman die. I had no feelings about it. No horror. No fear. And yet I know that this dream is prescient, that the murder will happen.”

Judd was hitting his stride now, saying intently to Morales, “Do you remember in Nausea when the protagonist says about himself, ‘You plunge into stories without beginning or end: you’d make a terrible witness. But in compensation, one misses nothing, no improbability or story too tall to be believed in cafes’?”

“Are you saying this has happened before?”

“Oh, yes. But I never reported those dreams. Who would believe that I saw a future murder? But I had to report this one or go crazy. Because I think I’ve seen the victim before.”

“Tell me about the victim,” Morales said. “Do you know her name?”

“No. I think I’ve just seen her at Whole Foods.”

Conklin sat back and listened for any changes in the tall
story he had heard before. Dr. Judd told Mackie Morales about the woman with the tights, the blond hair with roots, the sandals, and the blue-painted toenails choosing a pint of chocolate chip ice cream before she was gunned down—at some time in the future.

“I heard the shots but I didn’t wake up,” said Judd. “This woman put her hand to her chest, then took it away and looked at the blood. She said, ‘What?’

“And then her legs went out from under her and she slid down the door of the freezer, but she was already dead.”

Morales said, “And do you have any idea why she was—I mean, why she will be shot?”

“No, and I don’t think she saw the person who shot her.”

Perry Judd sighed deeply, put his hand on Morales’s arm, spoke to her as though they were alone together in the room.

“Miss Morales, this is what it is like for me, exactly what Sartre wrote in the voice of Antoine Roquentin: ‘I see the future. It is there, poised over the street, hardly more dim than the present. What advantage will accrue from its realization?’ You see? This is how it is for me.”

Conklin was disgusted. This whole story was about Dr. Judd. He was a flaming narcissist, a diagnosis that didn’t require a degree in psychology to make.

Conklin said, “What’s the address of the store?”

Dr. Judd gave the address in SoMa, only a few blocks away from the Hall, definitely a case for Southern District—if the murder ever really happened, or would happen.

For the second time in ten minutes, Conklin thanked Dr.
Judd and told him that if they needed to speak with him again, they’d be in touch.

“He’s a hard-core nutcase, right?” Conklin said to Morales when Perry Judd had left the squad room.

“Yep. He’s delusional. Could be he’s crazy enough to kill someone, though.”

Conklin thought Morales made a fair point. But if Judd was getting ready to kill someone, there was no way to stop him. You can’t lock someone up for having a dream.
Chapter 10

MERCIFULLY, JOE AND the baby were both sleeping. In the same room. In the same bed. At the same time. It was unbelievable, but true.

I filled Martha’s bowl with yummy kibble and brought in the morning paper from the hall.

The headline read: FAYE FARMER DEAD AT 27.

I didn’t stop to make coffee, just spread the paper out over the kitchen counter. The shocking story had been written by my great friend Cindy Thomas, charter member of the Women’s Murder Club, engaged to marry my partner, Rich Conklin, and a bulldog of a reporter.

Unrelenting tenacity can be an annoying trait in a friend, but it had made Cindy a successful crime reporter with a huge future. Her story on Faye Farmer had shot past the sec-
ond section of the paper and was on the front page above the fold.

Cindy had written, “Fashion designer Faye Farmer, 27, known for her red-carpet styling and must-have wear for the young and famous, was found dead in her car last night on 29th Street and Noe.

“Captain Warren Jacobi has told the Chronicle that Ms. Farmer had been the victim of a gunshot wound to the head. An autopsy has been scheduled for Tuesday.”

It was almost impossible to believe that such a bright, vivacious young woman was dead, her promising life just... over. Had someone taken her life? Or had she killed herself?

I kept reading.

The article went on to say that Faye Farmer lived with football great Jeffrey Kennedy, who was not a suspect and was cooperating fully with the police.

I'd watched Jeff Kennedy many times from the stands at Candlestick Park. At twenty-five, he was already the NFL's best outside linebacker. His defensive skills and movie-star looks had made him an immediate fan favorite, and at a guaranteed thirteen million dollars a year, he was the league's fifth-highest earner.

Faye Farmer had been photographed with Kennedy frequently over the last couple of years and had been quoted as saying she was going to be married—“to someone.” The way it sounded, she wanted to get married to Kennedy, but he wasn't at the until-death-do-us-part stage.

I was dying for more information. This was what's termed
a suspicious death, and my mind just cannot rest until a puzzle is solved. Of course, from where I was sitting at the kitchen counter, I had no more information than anyone else who had read the Chronicle’s front page this morning.

I was just going to have to tamp down my curiosity and get over it.

I put down the paper, then dressed quickly and quietly. I leashed Martha and went down the stairs, thinking I’d start off slowly, see if I could run a half mile, melt off a little of the twenty-five pounds of baby fat I’d added to my 5-foot-10-inch frame. I’d always been a bit hippy. Now I was a bit hippo.

Not a good thing for a cop.

The sun was still coming up over the skyline when I locked the front door behind me. But as I was about to set out, my attention was caught by a woman who was sitting behind the wheel of a rental car parked at the curb. She spotted me, too, got out of the driver’s seat, and called my name.

I had never met her, never wanted to.

And now she’d waylaid me.

There was no place to go. So I stood my ground.
I DIDN’T KNOW June Freundorfer, but I knew who she was. My eyeballs got small and hard just looking at her in the flesh.

She wore a slim gray custom-tailored suit, had perfect wavy brown hair, and a smile as bright as if she soaked her teeth in Clorox. In brief, she was an attractive forty-five-year-old power babe and she had history with my husband.

Here’s the history.

Agent Freundorfer had been Joe’s partner at the FBI. She was promoted to the FBI’s Washington field office about the same time Joe was hired as deputy director of Homeland Security, also in Washington, DC.

June still lived in DC and until recently, Joe had been flying there regularly to see his government-agency client.
I hadn’t known about June, but a few months ago, while I was pregnant with Julie, a photo of Joe and June appeared in the Washington Post’s society page. June was looking up at Joe with twinkling eyes, a flirty look, and they were both in evening wear.

Joe insisted that there was nothing to the photo, just a charity benefit he’d gone to under pressure. He’d caught a flight back to San Francisco that same evening.

Then June called Joe’s cell phone and I picked up. I announced myself, asked a couple of pointed questions, and June admitted that she was involved with Joe, but that Joe really did love me.

I went bug-nuts.

Joe said that June was lying, that she was trying to make trouble for us out of jealousy, and I can honestly say she wasn’t just trying, she succeeded.

I threw Joe out of the house and changed the locks. He slept in his car, which he parked outside the apartment, just about where June’s car was parked now.

It took a while for me to believe in Joe again, but I love him and I had to trust him. And I totally do.

But now, those old suspicions returned as the beautiful Ms. Freundorfer came toward me, carrying a little turquoise shopping bag from Tiffany.

Martha read my body language and stood at my feet with her head lowered and ears back, ready to spring.

“Lindsay? You are Lindsay, aren’t you?”

“Joe isn’t around, June. Did you call?”

“So I don’t have to introduce myself. Joe always said you
were smart. Anyway, I brought a gift for the baby,” she said. “Did you have a boy or girl?”
“We have a daughter.”
June smiled graciously and handed me the bag. And I took it because to keep my hands at my sides would have been childish. I even thanked her for the gift, a thank you that was less than sincere and wouldn't fool anyone, especially an FBI agent.
June said, “What’s the baby’s name? I’d love to see her.”
“It’s not a good time, June.”
It would never be a good time.
She said, “Oh. Well. Best of everything, Lindsay. Best to all of you.”
She returned to her car and after she’d waved good-bye and her taillights had disappeared around the corner, I opened the turquoise bag and undid the white ribbon around the small box inside.
June had given Julie a sterling silver rattle.
Very nice.
I took the rattle, the wrappings, and the unopened card and dropped it all into the trash can on the corner. Then I went for a run with Martha.
I ran. I hurt everywhere, but still I ran. Three miles later, Martha and I were back at our front door. I was soaking wet, but I felt something like my old self. It was a beautiful morning. I was married to a wonderful man and I was the mother of a healthy baby girl.
June Freundorfer be damned.
Chapter 12

THE COURTROOM was so packed that members of the press were standing together like matchsticks at the back of the room. TruTV cameras rolled, and Yuki saw Cindy Thomas sitting four rows back on the aisle.

Cindy winked at Yuki, who smiled before turning to say, “Your Honor, the people call Mr. Graham Durden.”

A tall black man in his late fifties entered the courtroom from the rear, looking straight ahead as he walked purposefully up the aisle and through the wooden gate to the witness box. He was sworn in, then took his seat.

Yuki greeted her witness and began with questions that established his identity and his role in the case.

“Mr. Durden, what is your address?”

“Fifty-seven Lopez Avenue.”
“Is Mr. Keith Herman your neighbor?”
“Yes. He lives directly across the street from me.”

Yuki noticed that Durden’s hands were shaking. It was understandable. The man was a witness against a killer. If Keith Herman got off, Graham Durden would still be living directly across the street from him.

“Mr. Durden, did anything unusual happen on the morning of March first last year?”
“Yes. I’ll never forget it.”

“Please tell the court about that morning.”
“I had gone out to get the newspaper off the porch and I saw Mr. Herman carry his daughter’s dead body out to his car. I could tell that Lily was dead. He put her into the back-seat and drove away.”

There was a gasp in the gallery, a satisfying intake of breath, and the jury appeared absolutely gripped by what they had heard.

“Did you call the police?”
“Yes, I did.”

“Did the police question the defendant because of your phone call?”
“Yes. The day after I called nine-one-one, I was asked to come into the station for a lineup. I positively identified the man who put the body of Lily Herman into his car.”

“Do you see that man here today?”
Durden said he did, and at Yuki’s request he pointed to the man sitting next to John Kinsela at the defense table.

“How well do you know Mr. Herman?” she asked.
“I’ve known him for about five years. I knew Lily since she
was three. She likes my dog, Poppy. They used to play on my lawn. I know the man’s car, too. Lexus. A 2011 four-door sedan.”

“So you are absolutely sure that the man you saw on the day in question, the man putting Lily Herman into the back of the Lexus, was the defendant, Keith Herman?”

“Yes. I’m sure.”

“Thank you, Mr. Durden. I have no further questions.”

Yuki returned to her seat at the prosecution table. There was some foot shuffling in the gallery, and people coughed on both sides of the aisle.

Judge Nussbaum scratched his nose, made a note on his laptop, then said, “Mr. Kinsela, your witness.”
JOHN KINSELA STOOD. He didn’t snort or mug for the jury. In fact, he looked quite grave as he faced the witness.

“Mr. Durden, have you ever testified in court before?”
“No, sir.”
“It’s a little nerve-racking, isn’t it?”

Yuki thought it was a question meant to rattle the witness, but it allowed the jury to see defense counsel as sympathetic, treating the witness with respect. If she objected, she could irritate the jury.

“I’m feeling fine,” said Graham Durden. He folded his hands in front of him.

“Good. Now, Mr. Durden, you swore to tell the truth, and yet in truth, you weren’t a hundred percent sure that the man you saw on March first was Mr. Herman, isn’t that right?”
It was Mr. Herman. I know Mr. Herman.”
“You told the police—and I’m reading from the transcript of your phone call to nine-one-one—I’m ninety percent sure that the man getting into the car was Keith Herman.”
“I said that, but it was a figure of speech. It was definitely him. And Keith Herman was carrying Lily out to the car. Put her body into the backseat.”
“What kind of car was that again, Mr. Durden?”
“A late-model Lexus sedan, 2011.”
“And what color was the car?”
“Black.”
“Now, you told the police it was a dark-colored Lexus, isn’t that correct?”
“Black is dark. I should know.”
There was a smattering of nervous laughter in the gallery. Yuki wasn’t concerned. Graham Durden was a high school principal. He was about as credible a witness as there was. He had described the car as “dark.” And yes, black was dark. He had told the police he was 90 percent sure he saw Herman. He was being careful.
“So just to be sure we’re both on the same page,” Kinsela said, turning to give the jury a good long look at the gravity of his expression. “You saw Mr. Herman put his daughter into a dark Lexus sedan on the street outside his house.”
“That’s right.”
“Did you get the license plate number?”
“That car is always parked right there. I know the car.”
“Yes or no: did you get the license plate number of that dark Lexus, Mr. Durden?”
“No.”

“No, as to the body of the girl you say you saw the defendant bring out to the car: did you one hundred percent identify that body as Lily Herman’s?”

“One hundred percent,” Durden said angrily. “One hundred percent.”

“And how do you know she was dead?” Kinsela asked mildly.

“Her head was hanging back. She was limp.”

“Could she have been asleep? Did you feel her pulse?”

“What?”

Yuki said from her seat, “Your Honor, counsel is badgering the witness.”

Judge Nussbaum said, “Overruled. Mr. Kinsela, pick one question and ask it again.”
Chapter 14

YUKI FELT TREMORS as the ground shifted beneath the witness box. Graham Durden darted a look in her direction, and she could see from the tight set of his lips that he was angry.

Durden didn’t like to have his integrity questioned. And Kinsela was working him over with the finesse of a fishmonger wielding a boning knife. Yuki had rehearsed with Durden, warned him that Kinsela would try to impeach his testimony. Durden had assured her that he felt confident and steady, saying repeatedly, “I know what I saw.”

Kinsela said, “Okay, Your Honor. I apologize for running on like that. Mr. Durden, how did you know that the child was dead?”

“She looked dead.”
“She looked dead. And how far were you from the man who put the child into a dark sedan?”

“I saw them from my front steps. Fifty yards.”

“Fifty yards.” Kinsela paused to let the jury think about fifty yards. A hundred and fifty feet. Kind of far away. Then he said, “And did you have an unobstructed view, Mr. Durden?”

“Yes.”

Kinsela walked to an easel, yanked down a piece of paper, and revealed an aerial photograph of Lopez Avenue between Sotelo and Castenada. The easel was positioned so that both the jury and the witness could see the image clearly.

Kinsela said to Durden, “Is this a photograph of your street?”

“Yes.”

“And this house marked A—is this your house?”

“It is.”

“This house marked B. It’s Mr. Herman’s house, isn’t it?”

“Yes.”

“What do you see between your house and Mr. Herman’s house?”

“The street.”

“Yes, we all see the street. And do you see trees? A line of trees on both sides of the street?”

“I could see Keith Herman plainly, carrying his daughter in his arms, putting her into the backseat of his Lexus—”

“You saw a man putting a girl into which side of the car, Mr. Durden? The side of the car facing your house? Or did
he open the door on the side closest to the Herman house, so that the car was between you and the action you’ve described?”

“I saw Keith Herman carrying Lily.”

“Please answer the question, Mr. Durden.”

“He put her into the car on the side nearest his house.”

“Okay. Thank you. Now, after that... when the man you saw that morning got into the driver’s side of the car, his back was to you, wasn’t it, sir? How could you possibly tell that it was Keith Herman, and not another man of average height and build, getting into a dark sedan?”

Kinsela paced in the well, head down as he continued with his battery of questions.

“Isn’t it possible, sir, that you saw a car like Mr. Herman’s car parked in front of Mr. Herman’s house, and from that you drew an understandable conclusion that the man was Mr. Herman? Isn’t it possible that you actually saw the *kidnapper* taking the child, not Mr. Herman?”

“Your Honor, I object to Mr. Kinsela bombarding the witness with his compound hammering. Again, if there is a real question in there, what is it?”

“Sustained. Please phrase one question, Mr. Kinsela. That’s a warning. Don’t do this again, or you will be fined.”

“Sorry, Judge. I got carried away. Mr. Durden, given the distance, the visual obstacles, and that there are over sixty thousand dark Lexus sedans in San Francisco, could you have been mistaken when you stated that Keith Herman brought his daughter out to the car parked across the street from your house?”

“I have no further questions for this witness,” Kinsela said, turning his back on Graham Durden.

Judge Nussbaum said, “Ms. Castellano?”

Yuki stood.

“Mr. Herman, you’re wearing glasses. Were you wearing them on the morning of March first?”

“Yes, I was.”

“And what is your vision when you’re wearing your glasses?”

“Twenty-twenty.”

“Have you ever been diagnosed with a mental disorder?”

“No. Never.”

“Thank you. That’s all I have, Your Honor.”

“The witness may step down,” said the judge.
Chapter 15

YUKI ELBOWED HER way out of the courtroom, smiled at the members of the press who were jamming the hallway, and said, “Hi, Georgia. Yeah, thanks. All’s well, Lou,” then, as John Kinsela and his client stood in the hall for an impromptu interview, Yuki headed for the fire stairs with Cindy Thomas on her heels.

“Aren’t you popular?” Cindy said, going through the door behind Yuki.

“So popular,” Yuki said, her voice ringing in the cement-lined stairwell. “By the way, Cindy, you’d better behave yourself. Every word I say to you is off the record.”

“You think I don’t know that?”

“Yeah,” Yuki said. “You’ve been known to forget. So I’m saying it loud and clear. Don’t mess with me.”
“When did I ever mess with you? When?”

The door on the ground floor, behind the back wall of the grand lobby, swung out into the daylight under the flat of Yuki’s palm and she and her blond-haired, determined friend filed out onto Harriet Street.

“Where to?” Cindy asked, catching up with Yuki.

Fringale was a cute, cozy bistro just a few blocks from the Hall of Justice, a little slice of France on the corner of 4th and Freelon Streets.

When Yuki walked through the door into the little place with its eggshell-colored walls, the aroma of rosemary and thyme filling the air, she felt the stress of the trial fade—all but the hard stone of worry in the part of her skull right between her eyes.

Could she really convict Keith Herman?

Had she forgotten what kind of lawyer John Kinsela was? Kinsela had eviscerated Red Dog Parisi.

The two women ordered salads as entrées, and when the waiter left the table, Yuki asked, “How bad did he hurt us?”

“You talking about how Kinsela gored your witness?”

“Gored’ him? It was that bad, huh?”

“Actually, Yuki, I think it made Kinsela look like a bully and a dirtbag. But did it discredit Durden? Yeah, I think so. Depends on what else you have. I take it Lynnette Lagrande is going to put you over the top.”

The waiter placed a salad in front of each of them: a beautiful dish of frisée with bacon dressing, pine nuts, and a poached egg. Yuki broke the yolk with her fork, speared a leaf of lettuce, chewed it, and sipped her water.
“I feel good about my case. It’s solid. But let’s face it, John Kinsela has about twenty years of criminal law to my three.”

“Lay out your case for me,” Cindy said.

Yuki told Cindy the details of her case in the rapid, machine-gun style she was known for. She talked about the bruises on the child, and the fact that Jennifer Herman had confided in a friend, saying that her husband might harm her. She cited Keith Herman’s paramour, Lynnette Lagrande, who not only refuted Herman’s alibi for the time of Jennifer Herman’s murder but would also testify to and document the fact that Keith Herman wanted out of his marriage.

“It’s a good case,” Cindy said. “What does Red Dog say?”

“He says that I’ve got Herman nailed on the evidence, and that he has total faith in me,” said Yuki.

She and Cindy both nodded, Yuki wishing that she weren’t remembering cases she’d lost.

“It’s always about life and death,” Yuki said.

“I have faith in you,” said Cindy. “You can do this.”

Yuki saw doubt in her good friend’s eyes.
Chapter 16

CLAIRE WASHBURN DIDN’T mind putting on a dog and pony show as long as nobody sneezed or puked on the body. A high-profile case like this one would be scrutinized for mistakes, and the last thing she wanted was to have to explain to the court how random DNA got on the victim.

There was a bark of laughter outside the frosted glass of her office door. Claire sighed once, forwarded her phone calls to the front desk, then went to the conference room.

The twelve people who were waiting for her turned as one.

Claire couldn’t stop herself from laughing. To a man, and to a woman, her visitors were dressed in baby-yellow paper surgical scrubs and Tyvek gowns. Most hilarious of all was Rich Conklin, Mr. September in the 2011 Law Enforcement Officers Beefsteak Calendar.
Great big handsome man, outfitted like a hospital kitchen worker.

Claire said, “Good morning, Easter chicks,” and she laughed again, this time joined by the group of cops, junior techs from the crime scene unit, and law school grads from the DA’s office who were getting on-the-job education this morning.

She caught her breath and said, “If we’ve never met, I’m Dr. Washburn, chief medical examiner, and before I begin this morning’s autopsy, please introduce yourselves.”

Claire had everyone’s attention, and when the introductions were concluded, she began a condensed lecture on the purpose of an autopsy—to discover the cause and manner of death.

“You’ll see that the victim will be wearing what she had on when she was recovered from the scene. She’ll have bags on her hands to preserve any DNA she may have scraped from a possible attacker. She will have a complete external exam, including total body X-rays, before we do an internal exam, which I’ll conduct.

“If Ms. Farmer’s death is determined to be a homicide—not saying it was a homicide, but if the evidence leads to an indictment—the defense may try to prove that our evidence was contaminated, that we’re a bunch of fumble-fingered idiots. Remember O.J.? Protecting the integrity of this postmortem is critical to catching and holding a bad guy. Because of lousy forensics, there are innocent people in jail for crimes they never committed and murderers walking the streets for free.
“To the dead, we owe respect. To the living, we owe the truth. Nothing less, nothing more, no matter where the evidence leads us.

“House rules: keep your prophylactic outerwear in place. Masks must be worn in the surgery and kept on. Understand? If you forgot to turn off your cell phone, do it now. Save your questions until I ask for them. When I’m done, I’ll memorialize my findings for the record. Everything you see or hear from now on is highly confidential and leaks will not be tolerated.

“Are there any questions?

“All right, then. If we’re all clear on the house rules…” Claire turned to her assistant, the fetching Bunny Ellis, her hair done up to look like mouse ears, reverent eyes turned toward her boss.

“Bunny, will you please wheel Ms. Farmer into the autopsy suite? Everyone else, follow me.”
CLAIRE HIP-BUTTED THE swinging door and entered the autopsy suite. The cops and junior-grade personnel behind her were excited, speaking in whispers that seemed to cut loose, rise in volume, loop around her, then die down to a hush again.

Conklin had the summer intern under his wing. Mackie Morales seemed bright and eager and maybe a little bit too much into Richie—the way she looked at him, the way he was a little puffed up, explaining things to her. Cindy would not be happy if she saw this.

And not too much escaped Cindy.

Claire laughed quietly but didn’t say anything to Conklin. She went to the far corner of the room and pushed the button that turned on the video camera. The light on the camera
didn’t go on. She punched it a couple of times and still the little red eye was dark.

That was weird. The camera had been fine yesterday.

She pressed the intercom button, said, “Ryan, check the video setup, please.”

“Yes, ma’am. It was unplugged. It’s on now.”

“Why was it unplugged?”

“I don’t know. I just found it this way.”

Bunny entered the room from the door that led to the morgue. She signaled to Claire as if to say, I need to talk to you.

“What’s the holdup, Bunny?”

“I need to see you for a second, Doctor.”

Claire sighed, crossed the room, and followed Bunny to the morgue, a refrigerated room lined with stacks of stainless steel drawers, each designed to hold a body. Some of Claire’s patients had recently checked in. Some had been waiting for months for someone to ID them before they were buried as nameless corpses.

“What is it, Bunny?”

The girl’s blue eyes were shifting and her lips were trembling. Claire didn’t get it. What the hell?

“I can’t find her,” Bunny said.

“What are you talking about?”

“Faye Farmer,” Bunny said. “She’s gone.”

“What’s her drawer number?” Claire asked, exasperated.

She went to the whiteboard, ran her finger down the list.

“Twelve,” said Bunny Ellis.

Claire turned away from the whiteboard, crossed to the
wall of drawers, pulled the handle of number 12. The drawer slid out smoothly, bringing the corpse into view. There was a tag tied to the big toe. Claire saw instantly that there had been a screwup. Faye Farmer was not and had never been a seventy-year-old black man.

She said, “Who mixed up the bodies? What drawer is this man supposed to be in?”

“Seventeen,” said Bunny. “Dr. Washburn, I already checked.”

Claire reached down, opened drawer number 17. It was empty. She started pulling out drawers, slamming them closed, each body in its assigned box except for the black John Doe in Faye Farmer’s drawer.

Bunny was crying now. She was a competent young woman and liked to do a good job.

“Stop that,” Claire snapped. “Think. Did you see Ms. Farmer’s body after she was checked in yesterday?”

“Not after I logged her in. She’s supposed to be in twelve.”

“Who moved John Doe one thirty-two out of box seventeen?”

Bunny shrugged miserably. “Not me.”

The body couldn’t have left the premises.

That was impossible.
Love 12th of Never?

Buy it now!