

THE CROSS

John Boston

District Attorney Kevin Foxx was nervous, as well he should be. This was a make-it-or-go-home type case in his career. He had won most but had lost a couple as well. He usually knew what the jury was going to decide before they did. Only once in his twelve-year career did he get completely blindsided by the jury.....that was more than enough. This case was not going to be easy. The defendant had been charged with three counts of homicide, as well as eleven counts of attempted murder. Problem was, everyone in the room agreed that the defendant never actually intended to kill anyone. He just wanted to smash the statue. This was going to be a big problem, that and the fact that the defendant had the defense lawyers in the country. No one wanted this case to go to trial. He had tried several times to get him just to plead guilty to 2nd-degree manslaughter. Five years and he was out. He would serve his time in a minimum-security prison. Just plead to something so we can put this massacre behind us. That's all he wanted. You can't just leave a pile of dead bodies and destroyed lives in your wake and think you won't get charged with something.

Everyone was also in agreement that he never even fired a shot. The officers on the scene were clear on that. Someone else had done the actual shooting and yet here was Mr. Prust about to stand trial for their deaths. It made little sense. Kevin initially didn't even want to charge him at all. It was a phone call from the state's attorney general that swayed his mind. It was strongly suggested.....if not outright ordered that he charge Prust with a capital offense. Didn't matter if all of the evidence showed that he was innocent of the charges, didn't matter if someone else had done the actual shooting. He was to fall on the sword. *It had been so decreed.*

Kevin didn't even get a chance to speak at the phone conference. This is what the governor wanted, so mote it be. It would ultimately be Kevin who would fall on the sword if Bill Prust walked out of court a free man and that was a distinct possibility based on the evidence he had in front of him.

"All rise. The State of Nevada versus William Prust. The honorable Grace Winslow presiding." said the bailiff.

Everyone in the courtroom stood up straight, including the defendant, Bill Prust. He looked over at Kevin's team. His look said more than enough. He had seen it before from the defendants.

Fuck you, gang!

Judge Winslow entered the courtroom.

"Please be seated. This is case number 124221. The people versus Willaim Prust. Mr. Foxx are you prepared to begin trial today?"

"Yes, your honor we are."

"Good. Mr. Halliday, is your team ready?"

"We are your honor."

"Okay, let's begin. I am prepared to hear opening remarks from Mr. Foxx first."

Kevin stood up slowly. He had rehearsed this speech so much, he knew it by heart. You only get one chance to make a first impression. Screw this up and you spend the rest of the trial trying to redeem yourself instead of proving your case.

"Ladies and gentlemen of the jury. On April 15th of this year a large upside-down cross, commonly called a satanic cross was displayed on private property adjacent to the park in nearby Mt. Charleston. One week later on April 21st, the defendant, Bill Prust, commandeered a bulldozer, broke through a police barricade, and destroyed the cross which was being protected by a local branch of the Church of Satan. Unfortunately, it doesn't end there. Someone and no one is sure who opened fire on the church members and the deputies separating the two groups. One officer was killed, three other officers were seriously wounded by some kind of an assault weapon. Two other church members were also killed instantly. Eight others on the scene were hit by gunfire. One of the victims has had to have eight surgeries on her face to repair the damage. Whether or not Mr. Prust was the one who fired shots is beside the point. What is not in question is that his actions led directly to the deaths of these people. He ignored the lawful orders of the officers on the scene who told him not to move the bulldozer. He ignored their orders to stop. Had he just stopped what he was doing and listened to the officers, these people might still be alive and no shots would have been fired. You may disagree with the Church of Satan. You may even agree with what Mr. Prust did that day, but you cannot agree with the fact that ignoring the orders of a police officer did not have deadly consequences for all of those involved. Let us not forget, in all of this, that had Mr. Prust just done what the officers instructed him to do, this horrible tragedy might never have happened. We have nothing further your honor." said Kevin as he turned and headed back to his seat.

"Mr. Foxx, can I see you and Mr. Halliday up here please?" said Judge Winslow.

Kevin and Mr. Halliday both approached the bench. The judge bent over to speak to them. She was trying to be as discreet as possible.

"Kevin, are you admitting that the defendant never actually fired any of those shots?" she asked.

"Yes."

"Was he connected in any way to the person who did?"

"We don't think so."

"Well then how the hell can you charge him with their murders?" she asked.

"We think once the jury hears all the information, they will convict."

"Good luck, you're going to need it," she replied.

Halliday let out a small grin as he walked back to the defense table. Kevin was not getting a warm fuzzy about this at all. He just struck out on the first pitch. He was certain some of the jury overheard the judge question his case.

Not a very good first impression, not at all.

"Mr. Halliday, your opening remarks, please."

Dale Halliday was an imposing figure. Six foot five and nearly three hundred pounds of Nevada good old boy who had risen from nothing to become one of the most prominent attorneys in the state. No one on Kevin's team was looking forward to doing battle with him. He rarely, if ever lost.

"Ladies and gentlemen of the jury. The very fact that we are all here today is a travesty of justice. The very definition of malicious prosecution. Everyone on both sides of the aisle is in complete agreement that my client, Bill Prust had nothing to do with the tragic events of that day in April. Sgt. Hernandez of the sheriff's department will testify that Mr. Prust was not the one who fired the shots. Every single eyewitness on the scene will testify that my client was not the person responsible for the shooting. What limited video that is available clearly shows that the shots came from the opposite direction the defendant was heading. So then, why on earth are we all here? We are here today because of the complete incompetence of the sheriff's department to do their job and the fact that the governor of this state ordered Mr. Foxx to charge somebody with something. I would implore the courts, based upon what we have all heard to simply have this case dismissed without prejudice. I've been practicing law for 24 years and I have never come across a case where the defendant's innocence was made more clear than this one. Your honor, we push for a complete dismissal of the case."

Judge Winslow put on her glasses. She looked through the case files and then took them off.

"Council, please approach."

Foxx and Halliday walked up to the judge's bench.

"Mr. Foxx, I usually let the attorneys have quite a bit of sway here in my courtroom, but this is a bit much. Your charges aren't going to hold water."

"Three people are dead because of this man, your honor," said Kevin.

"Then go after the shooter. Your honor, this is absurd. It is no different than being charged with a robbery just because you happened to be standing in line waiting to buy something when the robbery occurred." said Halliday.

"If I were not allowed to present my case, that would be the real miscarriage of justice. Legal principles get invented every day, this case is no different."

"I'll give you a little bit of leash, you better not hang yourself with it. You may proceed. Do not make me look bad Mr. Foxx." said the judge.

"Thank you, your honor, I most certainly will not," said Kevin as he walked back to his chair.

"Council's request for dismissal is denied....at least for right now. The prosecution may call its first witness," she said.

Kevin called Sgt. Hernandez of the sheriff's department to the stand. He was sworn in and sat down. He went over in great detail what happened, particularly when he ordered Bill Prust not to proceed any further.

"We were stretched way too thin. Tempers were boiling. We needed more officers, but this was all we had, just five of us and like sixty protesters. I saw Bill pull up carrying a dozer, I knew things were going to go south. I told him not to unload the dozer. He did anyway and drove right to the cross. I did everything but throw myself in front of it to get him to stop. He gave me the finger and just continued. Now, I will be the first to admit that Bill did not shoot anyone. I was watching him the whole time. I saw officer Bales get hit in the chest. I heard the gunshots being fired. I guess we panicked."

"What did you do immediately afterward?"

We administered CPR to officer Bales. It was no good. She had lost too much blood. She died right there in my arms." he said getting choked up.

"Thank you, Sgt. No further questions."

Halliday got up and walked up to the stand. Kevin was nervous. Hernandez was very vulnerable right now.

"Sgt, I think all of us are saddened by the loss of Officer Bales. Her death was tragic but, by your own admission, you told all of us that the defendant wasn't the one who fired the shots."

"No, but he should have stopped. If he had just done what we told him to, none of this might have happened."

"Sgt, you have made a very strong, very compelling case that my client is guilty.....of the destruction of private property, not homicide. No further questions your honor."

"You may step down Mr. Hernandez, thank you."

"We are going to take a brief recess while I speak to council in my chambers," said Judge Winslow.

Kevin got a sinking feeling in the pit of his stomach. You don't talk to council in private unless there is something wrong with the case.....*very wrong*. This is usually reserved for green trial lawyers with no trial experience. Kevin had been in the trenches for quite some time. This is not what he wanted to hear. Not at all.

"Kevin, we must be clear on something going forward: I cannot let you continue a trial for capital murder when both sides have made it perfectly clear that the defendant never actually committed a capital offense. We're not talking about a misdemeanor here, this is first-degree murder," she said.

"I realize this is unusual your honor, but that doesn't mean it's wrong. The defendant ignored a lawful order by an officer and people are dead because of it."

"Excuse me, your honor. I don't know what planet Mr. Foxx is on, but to those of us here on planet Earth, my client is completely innocent of the charges against him. Hell, the prosecuting agency just told us he's innocent, so how can this trial continue?" said Halliday

Everyone in the room knew that Bill Prust shouldn't be here today, but they also knew that the fix was in and they had been ordered by some very powerful people to allow this trial to happen. Ultimately his fate rested with the jury. The judge was legally bound to abide by their decision. She could declare a mistrial, but she would have to find a compelling reason to do so and so far none had been presented.

"It's your case, Kevin, you can lose it any way you want. I would strongly consider you simply charging him with a far lesser crime, a more appropriate charge."

Kevin knew the judge wasn't supposed to be saying these things, but even she knew the consequences of this trial.

"We offered him several plea deals, he rejected all of them. This was our only option."

"Your honor, we agreed to plead guilty to obstruction of justice, resisting arrest, and destruction of private property. That is all my client is guilty of. Nothing more, nothing less."

"You might want to take their offer. You're going to have a hard time convicting him of anything if he walks out of here a free man."

"We'll take that chance. I realize I've got a tough case to prove here. No doubt about that, but I need to be allowed to present it. I really believe at the end of it, we'll get a conviction."

"Mr. Halliday, could you give Mr. Foxx and I a moment alone, please?"

"Certainly," he said and left the room.

She looked over at the court stenographer who got the hint and left the room with him. Halliday about lost it when he saw she was leaving too but kept his mouth shut. He was going to win this case without even saying a word."

"Kevin, I got a call from the Attorney General's Office a few days ago. I trust you got the same call?"

"Yes."

"So, we both know what's at stake here if the defendant walks out of the courtroom a free man?"

"Yes."

"You're not going to get a murder conviction. You have to realize this. We're both going to be knee-deep in shit if we screw this up." she said.

"He pleads guilty to misdemeanors, he's going to serve less than a year in county jail."

"What about manslaughter. 3-5 and he's out."

"We tried. He won't even listen. Halliday didn't take this case out of the blue. He knows he has a slam dunk here."

"I'm in a very difficult position here Kevin and so are you. We have to convict him of something, but murder isn't it."

"Halliday knows who's involved in this case. The longer this investigation goes on, the worse we all look. I can't believe the sheriff's department can't find the shooter. I want to be trying them, not Mr. Prust, but I have my orders."

"Do you want me to declare a mistrial? Give you some more time to put your case together?" she asked.

"The elections are in three months. They want a conviction by then."

"That's going to be a hell of a lot easier said than done. Unless we plant evidence and cross all kinds of lines, that just isn't going to happen."

"Kevin, I really hope you have some all-star witnesses. Have they been coached?"

"Of course, but they won't lie. We already have dozens of statements from them, they all make it clear he never fired a shot."

"Jesus.....I should just have retired when I had the chance," she said and put her head on her desk.

"State calls Marjorie Harper to the stand," said Kevin.

She walked up to the podium, put her hand on the bible, and was sworn in. She sat down and looked very relaxed.

"Mrs. Harper, can you tell us about what happened on that day in April at the park?"

"Yes. I and many others in town were protesting the construction of a satanic cross in our park. I saw the defendant Bill Prust arrive in his truck, carrying a small bulldozer on a trailer. I asked him what he was going to do and he said he was going to destroy that damn cross once and for all. Things were getting out of hand, some of the people in our group were carrying guns. They were out for blood. I initially went out there to protest, I think that cross is disgusting, but I very

quickly realized that someone was going to get hurt if we didn't calm things down. I spoke to Sgt. Hernandez and we both agreed to try and calm down our sides. Those Satanists had guns as well. I knew things could get ugly and I stayed to try and prevent violence. I guess you could say, I failed miserably."

"So, what did you tell Bill when you saw him with the bulldozer?"

"I begged him to stop. I didn't want anyone to get hurt or killed."

"What did he say?"

"He just smiled and said something like: *I'll be back in just a minute*. I knew I should have done more, but I'm a sixty-two-year-old woman, up against a bulldozer....I didn't have a chance."

"Did you tell him that someone might get hurt if he were to proceed?"

"Of course. He knew he was playing with fire. When he ignored the officers, I knew we were in real trouble. I called my husband and told him to get down here as quickly as he could. I had a very bad feeling."

"Do you blame the defendant for what happened that day?"

"To some degree yes, I do. I know Bill didn't shoot anyone, but he did cause their deaths. If he had just listened to us, none of this would have happened."

"Thank you, Mrs. Harper, no further questions."

Kevin sat down and Halliday stood up and walked calmly over to the podium.

"Mrs. Harper, you just admitted to the court that the defendant was not the one who fired the shots, is that correct?"

"Yes, Bill was not the shooter."

"Do you believe the defendant was involved in any way with the shooter?"

"No, Bill would not be involved in something like that."

"So then how on Earth could my client have known that there was a sniper hiding in the bushes that day?"

"Well, I guess he couldn't have known something like that."

"I understand you're angry with my client. He should have listened to you but, my client didn't fire a shot, nor did he have anything to do with the shooting itself. His only intention was to destroy the statue, so how can you blame him for the shooting?"

"I don't blame him for the shooting, that much is correct, but if he hadn't done what he did, those people might still be alive today."

"Mrs. Harper.....don't you mean to say, if it weren't for the person who fired the shots, those people might still be alive today?"

Marjorie said nothing and simply looked away. She wasn't even pressed to answer the question.

"No further questions your honor."

Kevin sat back in his seat. He looked at his team. They were all thinking the same thing.

They were going to need a certifiable miracle to save this case. Even that might not be enough.

Over the next three days, Kevin called witness after witness who basically said the same thing. Bill unloaded and smashed the statue with his bulldozer. Halliday was cool, calm, and collected. He never pressured anyone, he just got them talking. Most of them admitted that Bill had no idea people would get shot that day. One of them even called him a *decent, God-fearing man*. None of the witnesses provided much help to his case. His final bit of testimony came from Detective Bennett of the sheriff's department who had done the investigative work on the shooting. Kevin could also call one of the FBI agents assigned to work on it as well, but it wouldn't do much to help his case. He could feel this one slipping away. The jurors didn't even look like they were listening anymore. They had already heard enough.

"The state calls detective Jason Bennett to the stand," said Kevin.

Bennett went into considerable detail about how the shooter was able to do what they did. He said it was a large caliber weapon with a silencer on it. He also admitted that the sheriff's department had not responded quickly to try and secure the area, which is how the shooter was able to escape. He did more to hurt his case than help it. Kevin knew this was pretty much the final nail in the coffin. When he was finished with Bennett, it was Halliday's turn. He wasted no time in pouncing on his prey.

"Detective, do you or anyone else investigating this case believe that my client fired any of the shots on that day?"

"No."

"Did he conspire with the shooter, or plan a diversion, so the shooter could get away?"

"No, we have no reason to believe he conspired with the shooter?"

"No."

"Did he supply the gun to the shooter or the ammo?"

"No, we have no reason to believe he did."

"Then, might I ask, do you believe my client should be charged with anyone's murder?"

"I can't answer that."

"Detective, you just did, but I must ask the question again: based on your conclusions, do you feel that my client should be charged with murder?"

"That's not up to me to decide?"

"You recommend the charges based upon your findings. It clearly says on page 23 of your report that my client should not be charged in this case, is that correct? This is your report, isn't it?"

"Yes. I only make suggestions to the DAs office."

"So, what was your suggestion?"

"My suggestion was that he not be charged."

"Thank you. I would like to enter the crime scene report as defense exhibit A your honor," he said handing the report to the bailiff. Your honor, I would like to go off script here for a moment, if I may. My next line of questioning goes to the very heart of this case. It pertains to the reckless and unprofessional behavior of the sheriff's department as to their investigation of the case. Detective Bennett is my star witness."

"Proceed." said the judge.

"Detective.....you admitted in a separate investigation done by the FBI that your department made so many mistakes that day, it resulted in the shooter being allowed to escape, is that correct?"

"Yes, some mistakes were made. We aren't perfect."

"Mistakes.....like the fact that half of the department was attending a captain's retirement party and were too drunk to drive when they had to respond to the 911 call, is that correct?"

"Yes."

"There were 22 officers on duty that day and only six were able to respond to the 911 call about the shooting. The Nevada Highway Patrol was first on the scene. The paramedics were calling 911, that's how bad it was. In fact, on page 34 of the FBI report, you told the investigating FBI Agent that, and I quote: we really blew it. We let the bastard just walk away because we didn't have enough officers to secure the crime scene.' Your own words. Two of the church protestors were also EMTs. They saved some of the shooting victims because there was no one there to help them. Is that correct?"

"Yes."

"I have no further questions, your honor. I'd add the FBI report to our defense exhibit, but it's so embarrassing, to everyone involved, I think I'll pass," said Halliday and sat back down.

"Thank you Mr. Halliday. I think we'll take a brief recess before continuing."

Kevin and his team met for lunch. No one said a word. Not only was Prust going to walk out of court a free man, but the reputation of the sheriff's department was in pieces. Everyone involved in this case from top to bottom looked bad. His team was deflated as well. None of them wanted to take this case to trial. One had even resigned, rather than go to court over it. He knew he was pretty much finished as the District Attorney as well.

"Anyone have any ideas?" he said between bites.

"Maybe I can pull the fire alarm in the courthouse to buy us some time." said one of his staff.

"I already thought of that. There are cameras near all of them."

"Boss we are screwed here. This is not going to end well for us."

"It ain't over till it's over."

"We're behind a hundred to zip with a minute left to play. It's over." said another staff member.

The next day Halliday and his team went through witnesses that all said exactly the same thing: Bill Prust did not fire the shots. He smashed the cross and got the hell out of there after the shots had been fired. He interviewed the FBI Agent who had been assigned to the case. He said Bill had nothing to do with the shootings. His last witness was Bill Prust himself. He broke down in court and said he should never have destroyed the cross, but he had nothing to do with the shootings. He said he had fled the scene because he was scared and didn't want to get shot. He said he doesn't regret destroying the cross, but not staying to help catch the shooter.

"That's something I'll take with me to my grave. I panicked. I was scared. I never in a million years thought the shooter would escape. I just don't understand how that's possible."

"Mega incompetence is how it's possible," added Halliday.

Halliday rested and it was Kevin's turn. He knew that if he had any hope of winning this case, it was right here and now. He walked over to a large poster board and put up the photos taken at the crime scene. He pointed to every one of them and gave a brief description of all of them. Some of the jury members were in tears. Bill Prust had red eyes as well.

"No Mr. Prust, you didn't fire those shots, but you are guilty of their murders. You provided the cover necessary for the shooter to kill them. They were just waiting for the right moment and that right moment occurred when you ignored a lawful order to stop what you were doing. If you had just stopped, maybe all of these people might still be alive. You let your hatred of a symbol overpower your reasoning skills and this is the result of it. Oh, I just discovered one more little tidbit of information, not that it matters now, but Officer Bales was pregnant, so I guess you killed four people, not three."

"Objection your honor. We've already clearly established the fact that my client didn't shoot any of the victims, nor was he involved in any way in the act itself. I guess the prosecutor forget that."

"Sustained. Please rephrase your question, councilor."

"Do you feel any guilt over their deaths?"

Prust got very angry and looked right at him.

"Guilt? No. I feel anger. Anger over the fact that someone shot and killed these people and our sheriff's department is so stupid, they let them just walk right away. That's what I feel."

"No further questions your honor."

"Okay, that's all for today. Do I understand that both sides have rested their respective cases?"

Both the attorneys said yes.

"Okay, then beginning tomorrow, the deliberations may begin. We'll adjourn till then," said Judge Winslow.

Kevin got the call from one of his staff members that night. The news was not good.

"Boss, I just got a tip from someone working at the catering company. They didn't even place an order for tomorrow."

Kevin's heart sank. That could only mean one thing. They had already concluded and wouldn't need to be fed lunch or dinner. It was going to be a very quick verdict and there was a 99.9 percent chance it would not be in their favor. For Kevin and his staff, they knew it was over. It was just a matter of going through the motions at this point. He opened a bottle of cognac and tossed a few backs. He was going to need more bottles before all of this was over. His cell phone went off. He didn't recognize the number and was too drunk to care. It was probably a telemarketer.

"Hello?"

"Hello. My name is Simon Pickard. Is the Kevin Foxx?"

"It is."

"Mr. Foxx. I am with the Church of Satan. I have some information that may be helpful to your case."

"I'm listening."

"Well, let me begin....."

"Your honor, we would like to call one more witness before deliberations begin," said Kevin the following morning.

"Objection your honor. The prosecution already made its closing remarks. I fail to see what adding another witness would do to help their case."

"This is very unusual counselor, I hope you make your point and you do it quickly," said Judge Winslow.

"We can't control everything in a case, your honor. I only received this information late last night. The witness traveled three hundred miles to be here today, I think we can make an allowance for them. They have some very pertinent information to the case."

"I'll allow it. Call your witness."

"We would like to call Simon Pickard to the stand."

A well-dressed gentleman emerged from the bench behind Kevin and took the stand. He was sworn in and Kevin began his testimony.

"Mr. Pickard, could you tell us a little about yourself and why you came here today."

"Certainly. My name is Calvin Pickard. I am affiliated with the United Church of Satan. I came here today because no one at this trial ever spoke up for the five of our brothers and sisters who were shot that day. True, they survived, but two of them are unable to walk without assistance and two others are also permanently crippled. No one spoke up for them, that's why we are here."

"Objection your honor. Wouldn't the witness's testimony be reserved for sentencing, if there is any?"

"Your honor, please allow me to continue, I have a point, I can promise you that. I feel the jury should hear his testimony."

"Overruled."

"Thank you. Please continue Mr. Pickard."

"Our church has many members from all walks of life. We even have former Christians in our ranks, as well as former Mormons."

"So, why are you here today?"

"Well, we all know Mr. Prust didn't fire those shots that day, but he didn't just destroy a cross. He committed a hate crime against our church."

"You mean by destroying the cross?"

"Correct. The cross was placed on private property. We were given the land, we didn't even pay for it. The same landowner allows for all denominations, even those he doesn't agree with. Mr. Prust and people like him judge us for our beliefs. Three people are dead and many lives in ruins because of his heinous actions that day. It wasn't the Satanists who fired the first shot. We were slaughtered by someone who shares beliefs similar to those of the defendant. I cannot say to what degree he is guilty, that is not up to me to decide. We must however remember that the motivating force behind what he did that day was hatred, blind, obedient hatred towards anyone

who did not share his beliefs. I must ask the jurors, would they still feel the same way if Mr. Prust had done something against black Americans, or homosexuals? Hatred is hatred, regardless of what minority group it is directed at."

"Mr. Pickard, you feel compelled to be here today to speak for the victims and their families. The purpose of this trial is to establish guilt or innocence. How do feel your testimony is relevant to this case?"

"The defense has spent the bulk of its case establishing the fact that their client did not do the shooting, but they have not spent any time explaining why he should not go to prison for a hate crime. I'm not a legal expert by any means. I cannot say what charge is appropriate for the tragedy on that day in April. I can say that myself and our members have been victims of hatred all of our lives from people like the defendant. Smashing a satanic cross is no different than burning a cross or beating someone because their skin color is not like yours. The jury should not overlook the fact that it was hatred that drove Mr. Prust to do what he did. We are all painfully aware of the results of that day. The lives were destroyed, the families ruined. I implore the members of the jury to look at the results of that day and the actions of Mr. Prust. A charge of first-degree murder is certainly not unreasonable.....it seems fitting for the crime. He was motivated by hatred, that alone should carry a stiff prison sentence."

"Objection your honor, this is ridiculous, if the witness doesn't have anything to offer to this case, can we please move onto the deliberations."

"Oh Mr. Halliday, I was getting to that. I would also ask the jurors in their deliberations not to overlook one crucial bit of evidence both sides missed in this case."

"What would that be?"

"The fact that the proud, Christian sitting in the defendant's chair successfully passed an eight-week course in EMT training in 2001. This training was specifically related to mass casualty scenarios like the one we experienced. Why on Earth didn't Mr. Prust try to help the victims?" asked Simon.

Halliday looked like he was just sucker-punched. He never saw it coming. He immediately looked over at his team and they all seemed unsure what to do next.

"I'm sorry, would you care to elaborate?" asked Halliday.

"I think my point has been made. He didn't even have the decency to try to help those whose lives he ruined. Who knows how many he could have saved? The first EMTs didn't arrive on the scene until almost twenty minutes after the shooting. I guess we'll just never know."

"Your honor, may we take a brief recess?" asked Halliday.

"Granted. We'll take an hour recess before deliberations begin. Mr. Pickard, you may step down." said Judge Winslow.

Kevin could see that Halliday was furious with his team and with Bill in particular. He practically dragged him out of the courtroom to another room. For the first time since this trial began, Kevin felt like he might actually win this thing. The jurors looked stunned as well. No one saw this coming. The crazy Satanist, Mr. Pickard just winked at him as walked by.

His case had just been brought back to life by the most unlikely of witnesses.

"How in the hell did this Pickard guy know about his EMT training, it was almost twenty years ago?" asked Kevin.

"I have no idea. I guess we just never even bothered to look. Did you see the look on the juror's faces? I think they just saw Mr. Prust in a whole new light." said one of his attorneys.

"I sure did.....and so did Halliday as well. Let's let him sweat this one out for a while. I can't wait to see him squirm."

Kevin and his team had just sat down at a table in the courthouse cafeteria when the bailiff passed him a note. Kevin opened it and immediately closed it. He closed his eyes. He couldn't believe it.

"Halliday wants to know if our offer is still on the table?"

"You're kidding?"

Kevin passed him the note.

"Holy shit boss. He must really think they might lose this one."

"I think this is what everybody wants. Each side can walk away and say they won. Kevin followed the bailiff down the hallway to the meeting room. Halliday greeted him at the door and didn't let him in.

"He does a minimum of three with no more than five at a minimum-security prison?"

"That's fine."

"Okay. We're ready to deal. I'll let the bailiff know." he said and closed the door behind him.

In just over an hour, Kevin's case had gone from totally lifeless to a weak pulse. He didn't want to send Bill away for the rest of his life. He just wanted him to take the plea deal. He never wanted it to come to this.

Half an hour later, they were back in the courtroom. Judge Winslow entered and sat down.

"Be seated. I understand both sides have reached a plea agreement?"

"That's correct your honor," said Kevin.

"Mr. Halliday, is this what your client wants?"

"Yes your honor."

"Mr. Prust, were the terms of the plea agreement made clear to you?"

"Yes your honor," said Bill standing up.

"It says here that you will serve no less than three, but no more than five years at a correctional facility of your choosing. Has anyone forced you to accept the conditions of this plea agreement?"

"No your honor."

"Since you agree to the terms and there have been no issues, I will accept the terms of the plea agreement. I will give the defendant thirty days to get his affairs in order before reporting to prison. Anything else gentlemen?"

"No your honor." they both said in unison.

"Then it is the judgment of this court and the state of Nevada that the defendant be remanded to the custody of the Department of Corrections beginning thirty days from this date. The court is adjourned," she said and slammed the gavel on her desk.

Kevin didn't feel like he had won or lost, more like had fought to a draw. At least Bill wasn't going to walk out of court a free man. He could call the Attorney General and tell him they had at least forced him to take the plea deal.

All things being equal, it was a victory, even if it was just a small one.

Things didn't get any easier for Kevin in the months that followed. His job was in the hands of the citizens of Nye County and they spoke overwhelmingly that fall when he lost the election in a landslide. Many of the people in the county felt that Bill Prust was a hero and shouldn't be serving a day in prison. Adding insult to injury, the Attorney General lost the election that fall, as did the governor. His first act upon taking office was to immediately pardon Bill Prust, who walked out of prison the next day a free man. For Kevin, things couldn't possibly get any worse, but they did. The Church of Satan had filed a ten million dollar wrongful death lawsuit against the county for failure to protect their members on the day of the shooting. A settlement was reached and the county was under court order to deliver the settlement money by a certain date or face the consequences.

The sheriff's department was out for blood after the trial and Kevin was their number one enemy. He had made them look so bad, the sheriff was forced to resign. Normally, he would have been accompanied by a deputy to deliver the check, but no one would even return his calls. After several days of screaming and hollering, the task fell onto Kevin himself. No one was going to help him. He had to drive out to Pickard's ranch a few hours away in one of the most remote parts of the state. No one from the church would come into town and sign for the check. They wanted him to personally bring it out to their ranch. They wanted him to know they had won and won big. Kind of like the way Hitler forced the French government to use the same railcar to sign the surrender documents in the second world war that they were forced to use in the first

world war. It was just pouring salt on his wounds, but at this point, Kevin was pretty much used to it. He was the punching bag for the entire county. He took one of his clerks with him. He also made sure he was armed. Once the cashier's check was cut, they were on their way.

"Boss, where exactly is the county going to come up with the money to pay for this?" he asked.

"The magic money tree I guess."

"Or a huge hike in property taxes," said Kevin.

"We got played and got played good. Seems almost like they had this entire thing planned from the beginning."

"They sure did, right down to the last detail. Bill Prust was just the icing on the cake," said Kevin.

"There's only one way Simon knew Bill had EMT training."

"I was thinking the same thing. Bill told Simon. There is no other explanation." said Kevin.

"Why would Bill do something like that?"

"Because Bill was in on this from the beginning. He knew if he was acquitted, there would be a giant bull's eye on his back. He knew he couldn't walk out of court a free man but he wasn't going away for too long."

"Why not just take the plea deal?"

"I don't know. Maybe he figured that if he went through the motions of trying to prove his innocence, that no one would suspect he was involved." said Kevin

"Without the shooter, we don't have jack shit. We couldn't even bring charges against him."

"Nope. I talked to somebody on Halliday's defense team. It was Bill who was pushing for them to accept the plea deal. Halliday was certain they could still get an acquittal, but Bill threatened to fire all of them. They had no choice."

"They had this planned out, right to the very last little detail. I never did understand how the shooter could just escape carrying a rifle. He must have been carrying it.....makes you wonder who else was involved."

"It sure does," said Kevin trying hard to stay awake.

The drive out to the middle of the state was long and boring. They had to follow a dirt road for almost twenty minutes off the highway, then take another gravel road until they arrived at the ranch. They were met by an armed guard at the gate. Once he saw Kevin, he immediately waved him on through.

"They're pretty serious about security out here." said his intern.

"They can afford it now, that's for damn sure."

Kevin drove up to the old farmhouse. It was well kept and there were some horses out in the pasture. He just wanted to get in and out. The last thing he wanted to do was hang around here any longer than he had to.

Kevin had a concealed carry permit and put the gun into his holster.

"Why are you carrying a gun?"

"Cause I'm dealing with a bunch of fucking lunatics. If I'm not back in ten minutes, call for help."

"I don't have any cell reception out here."

"Then use the radio in the car. Just press the button on the microphone and talk."

Kevin walked up to the farmhouse. Simon was already waiting for him.

"Mr. Foxx, so good to see you again. Please come in." he said.

Kevin stepped into the farmhouse. He wasn't superstitious, religious, or anything of the sort, but he felt something that made the hair on the back of his neck stand up.

There's something very, very wrong in this house.

He had the safety off on his 9mm and wouldn't hesitate to use it if things went south. Of course, he was handing Mr. Pickard a check for four million dollars, he figured that would put him in a good mood.

"I know you've come a long way, would you care for some coffee or a bite to eat?"

"No thank you. I'd just like you to sign for the check. I have to be on my way."

"Of course."

Kevin took the check out of his briefcase and handed it to Simon. He just looked at it and smiled. Kevin handed him some paperwork to sign.

"The county treasurer has requested that we get your thumbprints as well. It is for four million dollars after all."

"If you like."

Kevin took out the thumb pad and Pickard put both of his thumbprints on the paperwork.

"Is there anything else?"

Kevin knew he should keep his mouth shut, but that sick, twisted grin on Simon's face was just too much to bear. He knew he should just walk away, but he felt like Simon was the person responsible for all of this. He was the reason why Kevin's life was a giant pile of shit at the moment. He couldn't just leave without giving him a piece of his mind.

"Simon, just out of curiosity, how did you find out about Bill Prust's EMT training? Even the FBI missed that one."

"Well, Satan works in mysterious ways. What difference does it make?"

"None...or maybe a lot. We were never able to find out where Bill got that bulldozer from. He said he had it on his property, but neighbors say that isn't true. Never had any paperwork on it either."

"I fail to see your point?"

"We both know you set this whole thing up from the get-go. You had your followers at the right place at the right time. I'd bet money you know exactly who the shooter is. They might even be here on your ranch. Tell me, how much money is Bill going to get for his part in all this? How much to buy his silence? See if anything happens to Bill, I'll know exactly where to look."

Simon gave him an icy cold stare. He was an old man, but those dark, beady eyes of his were enough to make Kevin put his hand on his gun.

"I have no idea what you're talking about Mr. Foxx. You may see yourself out," said Simon as he handed him the paperwork.

"This isn't over Simon, not by a long shot."

"Good day, Mr. Foxx."

Kevin turned and left the office. He passed by a very odd-looking man in the hallway who just stared at him. For a moment, Kevin thought he might actually try to kill him. Instead, he just moved to the side and let him pass by.

Kevin exited the farmhouse and got in the car.

"How'd it go?" asked his intern.

"Let's get out of here, this place is a freak show. I can't believe this asshole is going to get away with this."

"What do you want to do?"

"Nothing we can do. I got voted out of office. Everyone just wants to forget this thing, especially my replacement. That's the real pisser in all of this. I know he's guilty, I just can't prove it. That's the worst part about my job. If I just had one piece of evidence....just one."

"Maybe Prust will talk."

"No way. No help is going to come from him. The entire town thinks he's a hero. If they only knew.....if they only knew." said Kevin as he left the ranch. He had never been so glad to get out someplace in his life.

Simon and the strange-looking old man watched from the window. They had their money, the plan was a huge success, but it was not over. They knew Foxx would stop at nothing to prosecute them.

"He's going to be trouble," said Simon.

"If he becomes a problem, we will take care of him. Satan will watch over us. He will not let us down." said the old man.

"What do you want to do about Prust? He opens his mouth and we're finished," said Simon

"Mr. Prust will leave this Earth tonight from a massive and sudden heart attack."

"Excellent. That's the last loose end. Let's start enjoying some of that hard-earned money."

"Do you know why I pledged my soul to Satan all those years ago.....because Satan always gets the last laugh.....always." said the old man, who was now 132 years old. As he smiled, his teeth were so old and rotten, they almost fell out of his mouth.