

# Out From Silence

## 19th Annual Fiction Writing Competition Winner

by Cynthia L. Tolbert

### 19th Annual Fiction Writing Competition

The Editorial Board of the *Georgia Bar Journal* is proud to present "Out From Silence," by Cynthia L. Tolbert of Atlanta, as the winner of the 19th Annual Fiction Writing Competition.

The purposes of the competition are to enhance interest in the *Journal*, to encourage excellence in writing by members of the Bar and to provide an innovative vehicle for the illustration of the life and work of lawyers. As in years past, this year's entries reflected a wide range of topics and literary styles. In accordance with the competition's rules, the Editorial Board selected the winning story through a process of reading each story without knowledge of the author's identity and then ranking each entry. The story with the highest cumulative ranking was selected as the winner. The Editorial Board congratulates Tolbert and all of the other entrants for their participation and excellent writing.

**T**he killer drove his truck along a deserted gravel road stopping just short of the entrance to the pasture. It was midnight, but the moon illuminated the road and the nearby fence. He nervously turned off his lights and gradually pulled into the grassy field. It had been raining that week, and he drove slowly to avoid low spots.

*Getting stuck is all I need,* he thought to himself.

As he pulled to a stop, the killer grabbed the rifle next to his seat and carefully crawled out of the cab and onto the ground. He squirmed along on his stomach until he reached the fence along the north side of the pasture. Holding his breath, he pulled himself under. He stood up briefly to get the first good look at the house through the trees. Her lights were out. That was what he had hoped for.

Squatting again, he inched his way to the front of the house and silently repeated the steps of his mission. He had watched it a million times on TV. You first cut the tires to prevent anyone from coming after you, and then you cut the telephone lines so no one could call the police. Even though it was a warm summer night, he was shaking as if it were the dead of winter. Recently discovered letters

revealed truths that could destroy life as he knew it. He was thankful no one else had found them first. He resolved to complete the task before him.

*This has to be done...*, he thought, grimacing through clenched teeth.

He held his breath and slowly slit the tires of the family car. He then swiftly crawled around the side of the house and cut the phone lines. Her bedroom was along the same wall.

He stood up to look through the window and down on her sleeping form. He was surprised to see that her bed and headboard were covered with dolls and stuffed animals. Surrounded by her childhood toys, she appeared much younger than her 19 years. She looked so peaceful. He could see her blanket rising and falling with her breath.

With only a second's hesitation, he punched in the clip and began firing through her window without thinking to aim. Shocked at the gun's kickback, he panicked, spraying bullets around the room in spiraling sweeps. It was so dark in her room he couldn't see clearly, even with the moonlight over his shoulder, but he knew that he had managed to get off an entire 25 round clip and at least part of another. Gaining his composure, the killer vanished as swiftly as he had come, leaving the spent casings on the ground under the girl's window.



Sheriff Roy Colson got the call around 12:30 a.m. Lyle Patrick was hysterical.

"He's killed my baby, my little baby girl!" he sobbed over and over.

By the time the sheriff got to the house, Lyle's beefy face was puffy from crying. Sheriff Colson looked at his feet. He hated this. Jennifer was Lyle's only child. His wife had died about five years earlier. The man in front of him was a wrecked, inconsolable puddle of a man. The sheriff would have expected nothing else. Jennifer was all he had. Lyle had struggled for the past 20 plus years raising crops for live-

stock feed on about 100 acres of failing family land. A recent beef cattle business attempt had failed as well. All he had and all he had loved were now gone.

"I know who did this," he said with tears streaming down his face. "It had to a been Adam. Jennifer broke up with him about a month ago. I never liked her seeing that boy. After Jennifer broke off their engagement, he was real upset. He said that she'd be sorry. I know he did this...Jennifer was probably the first person who had ever refused him anythin'," he fumed. Lyle Patrick was a huge man with fists to match. They were balled up like massive ham hocks at the thought of Adam Gannon.

The sheriff knew of the Gannons and recalled Adam as well. The boy lived in the next county and stood out from the other kids in the area, mainly because he was wealthier than most. Adam's parents were Robert and Darcy Gannon, who owned a large plantation in Jones County. Everyone knew them. They seemed to have money to burn, and they spared nothing for Adam, who was their only son. Sheriff Colson knew that something was wrong with the kid; he just couldn't put his finger on it.

"I been knowin' the Gannons," Lyle continued. "I used to sell hay to 'em from the back pasture. I remember Adam from when he was a little kid. He's deaf, you know."

*That's what it was! I never woulda guessed that,* thought Colson.

"Jennifer would not have it any other way but to have him as her boyfriend," he sighed, heaving his throbbing head into his hands with bitterness.

The sheriff remembered Jennifer from when she was a little girl. They had once all attended the same church. She was pretty enough, but big boned, like her dad. The last time he saw her he was surprised to see that she was nearly as tall as her 6'3" father, and weighed only slightly less. Lyle had spoiled her rotten since her mother died. Lyle had changed since then

too. He was far more withdrawn, and had become dedicated to that Pentecostal church down the road from his house. Sheriff Colson saw him driving down there nearly every evening. He never saw Jennifer with her dad anymore.

*Kids seem to drift away when they get to be a certain age,* the sheriff mused, sadly thinking of his own boys whom he hardly saw since they reached high school.

Sheriff Colson also knew that there was a considerable history between the Patricks and the Gannons, and that their relationship was a strained one at best. The sheriff suspected that Lyle had no fondness for the Gannons, and he was surprised that Lyle's daughter was involved in any way with Adam. He sighed with resignation. He was not looking forward to this.

"Can you show me what happened?" he asked with a slight nauseous feeling rising in his gut.

With a grim sigh, Lyle led him down the hallway and into Jennifer's room. Sheriff Colson was utterly unprepared for what he saw. There weren't many murders in Baldwin County, only two since he had been sheriff, and no lawman from his sleepy little hamlet had ever seen anything like this. The room still reeked of cordite. Jennifer was sprawled awkwardly like a broken doll in the middle of her blood-soaked bed. Her left arm and right leg had been blown completely off. He closed his eyes, overcome by the sight and the fetid odor of human flesh. For a while, he was unable to speak.

"The shots came from outside of the window into her room. I need to see what happened out there," he said, quickly moving out of the door, feeling a distinct sense of relief in his departure. *Good God, what sort of monster would do this?*

When he rounded the corner, flashlight in hand, he was surprised to see that the phone line had been cut as well as the tires to the family car.

"I ran to the neighbors to call you," Lyle explained.

"Whoever did this knew enough about the house to know where the phone lines were, even in the dark," the sheriff commented. "And sneaking up to the car to slash your tires was pretty gutsy since the dog could easily have heard," he shouted over the dog's yelping from the adjoining laundry room. "Make sure you don't touch anything, Lyle. I will have my men come out once daylight hits. They'll take photos of the scene and gather the evidence."

Lyle nodded silently and numbly. Sheriff Colson shone his light under Jennifer's window. He was surprised to see a clip from a semi-automatic rifle and what appeared to be 50 or so spent casings. There was also at least one perfect shoe print.

"This is what we need, Lyle," he said marking the site with yellow crime scene tape. "If we can find the gun, we got 'im. These rifles ain't legal 'round here, but kids have been gettin' 'em from a local dealer and usin' 'em for hunting deer. I got a pretty good idea where

the weapon came from. Also, the shoe print is pretty distinct. If we're lucky, we can match it up with the owner of the gun." He squinted into the nearby pasture. "When it's light, I'll come back and join the boys to see if there's any other evidence," he said climbing into his truck. "I'll send an ambulance out here to get Jennifer's body to the coroner. Somewhere I can drop you until then?" Shaking his head, Lyle waved him off and stepped back into his private nightmare.



The next morning, Sheriff Colson returned to the Patrick farm and parked his truck on the gravel road next to the fence. It had rained over the past two weeks and the pasture still smelled slightly of manure from Lyle's dwindling herd. It was hot, dank and steamy from the morning dew. The early sun beat down on his head as he peered into the blindingly lit fields, his hand shielding his eyes. He expected to see tire tracks in the pasture if his

suspicions were correct. He was not disappointed. He could see two sets of tracks from the side gate to the fence in front of the house. The first set appeared to have been made when the driver entered the pasture. The ground was lightly indented along these tracks, with no rutting, and the grass was bent but still intact. Judging by the size of the tires, those tracks had likely been made by a large pickup truck. Sheriff Colson followed the tracks until they ended. Boot marks that seemed to match the shoe print under Jennifer's window were visible in the mud where the truck stopped and what appeared to be toe marks continued to the fence. *He must have crawled on his stomach to the house*, he surmised. He knew there had been a full moon the night before, which must have illuminated the pasture and the house. Sheriff Colson spotted additional boot marks back to the truck. The toes of this set were deeply embedded in the mud and were obviously made while running. He now had

Faster than a speeding bullet...  
you can get a **PRONTO QUOTE** for your  
**LAWYERS PROFESSIONAL  
LIABILITY INSURANCE.**

*Well, maybe not that fast, but you get the point...*

- ✓ Get a premium estimate during your first phone call.
- ✓ Get a customized quote usually within 6 hours.
- ✓ Get your CNA policy at your desk usually within 1 business day.

*CNA is the largest underwriter of legal malpractice coverage in the U.S.  
GilsbarPRO is the exclusive administrator for the CNA Lawyers  
Professional Liability Program in the State of Georgia.*

Call the Pros.  
**(800) 906-9654 • [www.gilsbarpro.com](http://www.gilsbarpro.com)**

**GILSBARPRO**

**CNA**



One or more of the CNA companies provide the products and/or services described. The information is intended to present a general overview for illustrative purposes only. CNA is a registered trade mark of CNA Financial Corporation. Copyright (c) 2010 CNA. All rights reserved.

Allie was one of those students who thought she had enrolled in law school in search of justice. Truth was, however, she liked a good fight.

at least three good sets of shoe prints. The next set of tire tracks began where the running shoe pattern stopped. The truck seemed to have made a wild swing into the pasture and out of the gate, leaving wide arched ruts in the grass. At least one clear tire track remained. Sheriff Colson had what he was looking for.



That same morning, Adam was startled out of a deep slumber when his father shook his shoulder. His heart pounded in his chest. He did not like surprises. His father was the last person he expected to see at his place that morning.

"Adam," his dad said, staring intently into his son's eyes. "I got a call early this morning. The Baldwin County sheriff was looking for you and wondered if I knew where you were." He paced back and forth across the room. "I told him that you should be in your dorm room. He asked me if he could come by this morning and I told him to come on," Robert Gannon choked out hoarsely, his voice filled with rising fear.

Adam was not certain what his father was talking about. His dad was upset, he knew that.

"Do you know what this is all about?" his father demanded.

Adam shrugged his shoulders and climbed into the shower.

Thirty minutes later, Sheriff Colson rapped on Adam's door. He and Robert Gannon gingerly shook hands. The sheriff knew he had to be cautious. He glanced toward Adam whose hair was still wet from his morning shower and looked him in the eye.

"Adam, last night there was a murder in Baldwin County. Jennifer

Patrick was killed. Her father thinks you did it. Do you have anything to say about that?"

Glancing at his father, Adam hung his head and said nothing.

"You must be out of your mind!" Robert Gannon shouted. "Adam is incapable of murder! Roy, you'd better be careful. You're on the wrong track here," he snapped.

"Robert," explained Sheriff Colson, "Lyle Patrick believes that Adam is not only capable of this, he's convinced that he actually did it. He says that Adam threatened Jennifer after they broke up. I gotta look into it. Do I have your permission to inspect Adam's room as well as his vehicle?"

"Sure, we got nothin' to hide," Gannon spat back.

Sheriff Colson looked around and saw a pile of muddy clothes and work boots.

"Mind if I take these?" he asked, looking at Adam and his dad.

Robert Gannon nodded his assent.

The sheriff looked into Adam's truck where he found an AR-15, which he also took, along with the truck's tires. The sheriff had the foresight to get Adam's signature verifying that he had permission to take all of the materials from Adam's apartment and truck before he left. "Don't go anywhere, Adam," the sheriff said as he climbed into the truck.



The following day, Sheriff Colson arrested Adam for the murder of Jennifer Patrick. That same day Adam's dad hired Jimmy Steele, a volatile, albeit clever attorney, who was as arrogant as he was skilled. Jimmy wasn't so sure he wanted to take the case. Adam

made Jimmy nervous. Jimmy had never had a deaf client and didn't know what to do or what to expect. He found Adam unreadable. Adam's facial features seemed immovable, frozen on his face. He didn't appear to emote and the explosive Jimmy could not relate to him on any level. Unlike Jimmy, Allie Thompson, his third-year law clerk, was excited about the case, and urged him to take it.

"I would bet that this guy didn't fully understand what was going on at the time he was arrested," Allie told Jimmy excitedly. "You should take the case. We might be able to get all of the evidence suppressed," she said enthusiastically. Allie was one of those students who thought she had enrolled in law school in search of justice. Truth was, however, she liked a good fight. Neither Jimmy nor Allie considered for a second whether Adam was guilty, and, at the time, they didn't care one way or the other.

Allie arrived late, as usual, for the first meeting between Jimmy and his new clients. As she barreled through the front door of the law offices, the receptionist jumped, scowling over her glasses as Allie slammed the door behind her. Allie breezed through the reception area of the old Civil War-era hotel Jimmy had converted to office space and into the conference room. Although Jimmy had refurbished some of the wiring, the conference room was dimly lit and it was hard to see, even during daylight hours. Allie peered into the room, trying to see whether she could read anything from the faces in front of her.

"Nice to see you could make it," Jimmy derided.

Allie was used to Jimmy and as usual, ignored him. She was more interested in the other people in the room. The Gannons, Robert and Darcy, were visibly shaken. Allie could sense terror seeping from their pores. Their faces were pinched and gray from two nights without sleep. They were scared.

Adam Gannon, their son, although recently released on bail, was stoic, silent and still. His eyes barely flickered in her direction when she entered the room. Adam's ease puzzled her.

Adam was a well-groomed, well-muscled 19-year-old freshman at GCSU. Allie had not known what to expect from him, but this was certainly not it.

When she was growing up, Allie was close to her mother's youngest sister who was also deaf, so she knew something of that community. She also learned how to communicate with her aunt in rudimentary sign language.

She was surprised that Adam did not wear a hearing aid. In fact, Adam did not appear to need any assistance in the interpretation of what others were saying. Curiously, his parents rarely made eye contact with him, but they were proud to point out that Adam maintained a 3.0 average in regular college courses, had played football in high school and continued to lift weights in college. They also reported that Adam had taken Taekwondo classes since junior high and had advanced rapidly in that sport as well. Allie spied a new red Dodge pickup truck parked outside and correctly assumed that it was Adam's. He was well-dressed and his sleek blonde hair was perfectly coiffed in the style of the day.

*That haircut alone costs at least a hundred dollars a month to maintain,* Allie surmised, swallowing her resentment.

Allie struggled financially. Even though she tried not to, she found herself resenting rich kids whose parents put them through school. Adam seemed destined for a similar path, or at least one of privilege and ease compared to her life. What Allie did not know was that all of Adam's appearances of normalcy and advantage were carefully constructed by his parents and perfectly executed by Adam. Adam was merely following a design conceived and orchestrated before he could



walk. Adam was nothing if not a dutiful son.

As Allie sat down, Jimmy leaned toward Adam, for once unsure of himself. He had never tried to speak to a deaf person.

"Can you tell me what happened?" he shouted at Adam, loud enough for the office next door to hear. Adam barely made eye contact, but his mouth twitched ever so slightly.

"Do you know why you are here?" he shouted even louder, flailing his hands and arms about the room.

Allie stepped in.

"Does Adam sign? Does he understand sign language?" she asked the Gannons.

"Well, no..." replied Mrs. Gannon. "We sent him to a school for the deaf when he was little, but when they tried to teach him

to use sign language we pulled him out."

Allie was stunned. She knew what that meant. Adam's language skills were limited at best. She was amazed that he was able to maintain a B average during his first semester at GCSU.

Mrs. Gannon explained, "We never wanted him to stand out from the other kids, so we sent him to a school in Atlanta and the teachers there taught him to lip read and speak some. He was there about a year and then we enrolled him in Milledgeville Academy."

*Idiots!* Allie fumed. She had read that lip readers only understood about a third of what was said, and that was with far more training than Adam apparently received. If that was true, she did not know how he had been so successful in school. *He must be brilliant!* she concluded.

"What classes has he been taking at college?" she asked.

"College algebra and physical education," Mrs. Gannon replied proudly. "We thought he should only enroll part time and he has always been good at math. Adam can read and write, but he has problems with English, history and other classes like that."

*No kidding*, Allie snorted.

Adam interrupted his mother and began to speak in a slightly muffled, staccato voice without making any eye contact with her.

Allie interrupted him.

"Mrs. Gannon, could you please interpret what he is saying for me? Everything he is saying is so important. I do not want to misunderstand him or misinterpret what he is saying."

"He's explaining that the sheriff took his tires and shoes," Mrs. Gannon said, her voice about an octave higher than it had been earlier. "Then he said that he went to a dark room at the sheriff's office where he had to stay. He's sayin' he couldn't leave," she announced. "He's also sayin' that he didn't hurt Jennifer."

With this statement Allie noticed that Adam raised his eyebrows and became much more animated.

"Now he's sayin' that that night as he was leavin' he saw some ninjas crawl up to Jennifer's house. Then he saw them cut the wires and cut the tires of her father's truck. He said they shot into her window and that they were all wearing black clothes and black masks. He said that there were about 10 of them and that he tried to stop them, but there were too many."

*Nice...*, Allie thought, *we've got a nut job for a client*. She couldn't tell if Adam believed his own ninja tale, but it was obvious that he thought that his story was plausible. Jimmy and Allie's eyes locked for an instant. They knew two things from Adam's description, as far-fetched as it was. Adam's story was full of murder scene detail. They had read the police report. So, he had to have obtained this knowledge from

some sort of firsthand experience. Fantasy seemed to play a large role in their client's life. How big a role, they were unsure.

Adam's parents attempted to clarify.

"He hardly watches anything other than 'Walker, Texas Ranger' or old Chinese martial arts movies," Mrs. Gannon explained. "Chuck Norris is his hero. But Adam could never hurt anyone else. He is incapable of harming anyone," she emphasized with conviction.

After this, Allie and Jimmy knew that neither Adam nor his parents would be much help in deciphering what had happened on the night in question, and that they would not likely offer much which would be useful in his defense. Allie and Jimmy also knew that the ninja story could not be used in front of a jury, which meant that their client could not take the witness stand. Allie could not tell where Adam's imagination ended, or where reality, for him, began.



The next day Allie was dispatched to the sheriff's office to examine evidence collected at the time of Adam's arrest. Allie was blessed with what her brother called a "blind nose." For most of the year, allergies muddled her sinuses preventing Allie from detecting any odors whatsoever. So Allie, blissfully unaware of foul odors, approached the pungent wad of bedclothes in the evidence room without trepidation. Stalwart, middle-aged deputies fled the room as she methodically examined every piece of stained linen. One of them even threw up on his way to the bathroom.

The evidence was grisly. Allie, completely absorbed in her task, listed each piece of evidence in a notebook for later analysis. Photographs of the scene told most of the story. The shooter managed to fire two 25-round clips into the room. Only one clip was recovered at the scene. The killer was either a poor shot or was completely out of

control. Nearly 50 rounds of bullets splintered Jennifer's furniture and destroyed her bedroom walls.

Allie examined love letters exchanged between Jennifer and Adam and was surprised to find that Jennifer's letters were written in 12 different marker colors, complete with rainbows, hearts and flower decorations, like love letters of girls half her age. Jennifer was a college freshman of at least average intelligence, but seemed to be as naive as a 12-year-old. Adam was her first and only boyfriend. Jennifer's letters revealed that although she was initially happy to have Adam in her life, she grew weary of him.

Adam's letters were written in a generally competent hand, but were brief, disjointed remarks regarding his daily plans. Jennifer's letters gushed with promises of love and dreams and longing. For a while it seemed that she basked in Adam's attention and enjoyed the time they spent together. Slowly Jennifer began to see Adam as a two-dimensional version of a boy; a cardboard cutout of the real thing.

*Can't you tell me that you love me?* she complained repeatedly. *Can't you see that I need to hear that you care in some way?*

Adam never responded. Jennifer seemed to need the sort of declarations echoed in the romance novels she read every night. Adam did not and could not deliver. Love, to Adam, was not about language.

It was apparent that Adam's parents had relentlessly trained him to "make a good appearance," and he had learned this lesson well. Adam rarely spoke since his parents squelched every early utterance which was not perfectly articulated. They effectively barred Adam from the deaf community by refusing to allow him to learn sign language, which, in turn, made him desperate to be accepted in the hearing world. Allie knew his relationship with Jennifer was an important link to acceptance there.

Jennifer's letters reflected that she had yearned for a boyfriend

since she could remember. Unfortunately, with the exception of Adam, there seemed to be few boys who were willing to accept her for who she was.

*They were both victims in a sense, Allie mused.*

Jennifer and Adam were victims of the dictum of society norms and the idolatry of beauty icons. They were misfits who wanted to fit, and for a time, when they were with each other, they thought they did. Jennifer's dismissal of Adam must have crushed him to the quick. Allie believed he had few coping skills for dealing with that sort of emotional turmoil.

Allie was unsure how Adam could have purchased a semi-automatic rifle, but one was found in his truck by Sheriff Colson, and some of the prints on the barrel were his. The sheriff's department was going to test the casings fired from Adam's gun against the casings found at the scene, and Allie had a feeling that they would match. She quickly looked at the large tires from Adam's truck as well as his boots, both of which were in the evidence room. She also examined the plaster casts the sheriff's department made from footprints and tire tracks at the scene. The plaster casts seemed to match the sole of Adam's boots and his tires. Allie knew that she had to try to speak to Adam again.



The next day, Allie found Adam waiting for her in the conference room. She wanted to speak to him alone and had convinced Jimmy that she would be able to get more information from Adam than he could. Adam and Jimmy tended to defensively bow up in each other's presence.

"Can you tell me about your relationship with Jennifer?"

Adam lowered his head.

"I like going to Jennifer's house," he said hesitantly, straining to say every word as carefully as possible, but Allie could not make out much of what he said.

"We meet at night after her dad goes to sleep. She lets me come in through her window and sit on her bed. I do not know why Jennifer gave me back my ring," he said with obvious sadness. "I saw her this week. We talked about getting back together."

Afraid she had missed a good bit of what he had said, Allie got out a piece of paper and a pencil.

"Can you write down where you got the gun the sheriff took out of your truck?"

Adam nodded, and carefully wrote, "Arnie from the Fish and Game store. I met him one night by the river. I bought it for hunting deer."

"Did you realize that it was illegal to have such a gun in this county?"

"No."

"But Adam, why did you meet Arnie at night down by the river if you thought purchasing the gun was legal?" Adam stared at his hands and did not answer the question. Allie considered his silence an admission and headed back to the sheriff's office for another review of the evidence.



Because math had never been her strong suit, Allie counted the spent casings from under Jennifer's window twice. There were about 50. There was a spent clip in the remaining evidence and it only held 25 rounds. There was no clip, empty or otherwise, in the semi-automatic recovered from Adam's truck. Even she could do that calculation. They were missing one of the clips.

The plaster casts produced from under Jennifer's window and the pasture were confusing to Allie as well. Since it had rained on and off for about two weeks before the incident, there were several sets of shoe prints cast by the deputies. The prints were not of the same shoes. It appeared that at least one set did match the boots confiscated from Adam. There was another set of shoe prints with a peculiarity of the left foot.

# ESTATE LIQUIDATION SPECIALIST

Well Attended Monthly Auctions

20 Years Experience

Licensed Georgia Auctioneer  
GAL#C2506

Fast and Easy

Business and Residential

Furniture, Vehicles, Art and More

Local & National Marketing

Professional, Courteous & Ethical

10 DAY ASSETS TO  
CASH TURNAROUND

G A L 6 L 3 E R Y

6363 Roswell Road  
Atlanta, Georgia 30328  
404.252.2555

## FREE PICKUP

## NEED CALIFORNIA COUNSEL?

Call Paul Lafranchise

661.328.5231

University of Georgia School of Law Graduate  
Member of the Georgia State Bar

With more than 30 years of litigation experience,  
Mr. Lafranchise is a member of the State Bar  
of Georgia, California and the District of Columbia.



KLEIN-DENATALE-GOLDNER  
COOPER-ROSENLIB & KIMBALL-LLP

Learn more at [www.kleinlaw.com](http://www.kleinlaw.com)

UGA Law  
1978 (J.D.)

Georgetown Law  
1982 (LL.M.)

List of Georgia  
clients available  
on request.

All federal  
and state courts.

Centrally located.

Rates lower than  
big city rates.





Both sets of shoes appeared to be a type of ubiquitous work boot commonly worn by field workers, contractors or anyone who worked outside in the muddy Georgia farmland. Nearly every man Allie knew had a pair of these boots, and she was not surprised that Adam did. Yet the left foot cast of this particular boot was different. It was worn down on the left side so that each step made with this shoe seemed heavier on that side, creating a greater indentation in the ground. Whoever wore this boot limped and favored the left side. Prints from this shoe were found under Jennifer's bedroom window and in the pasture. The cast from this left boot did not match Adam's more pristine version. Allie decided she needed to take greater notice of men's shoes, and she needed to find the missing boot.



The next day Allie made appointments with several of Adam's relatives and folks who worked for Robert Gannon. She needed to know more about the family. She was a little nervous when she met Ben, Adam's cousin. Although he was a young man, he was dressed in what appeared to be his grandfather's overalls under which he was wearing a similarly aged flannel shirt. Allie tried to avoid staring at his wretched teeth, which were heavily populated by gaping spaces.

"I think we should drive on over to the Patricks' pasture," Ben drawled, looking sideways at Allie's skirt. "I'll drive since I know the way."

Allie nodded in agreement, horrified at the thought of climbing into his decrepit pickup truck.

*This had to have been his grandfather's as well,* she thought, smiling to herself.

She had no idea what she would find at the scene, but felt that it would help her understand what might have happened on the night Jennifer was murdered. Several jarring minutes later, Allie emerged from the truck, hoping that she did not smell like tobacco and dead game. She gingerly picked her way through the muck and knobby grass knolls of the Patrick's pasture in her four-inch heels, trying not to lose her balance.

The pasture appeared to have been fallow for years. The ground was completely overrun with rutted tire marks.

*Apparently the sheriff's department has not maintained an unspoiled crime scene,* she thought wryly. In fact, Ben's tracks only added to the jumble.

"Do you know the Patricks?"

"Yup, everyone knows the Patricks. They owned near 'bout the entire county at one time or 'nuther. But that was before my time. Lyle's daddy lost it all in the war," he explained.

"How did he lose it?"

"Story is, my Uncle Will, Robert Gannon's daddy, bought the place from Lyle's momma when Mr. Patrick was fightin' in Germany. It's rumored that Lyle is Will's kid," he said, flicking the dirt from his fingernails with his pocket knife.

*Holy crap!* Allie thought. *That means Adam and Jennifer were cousins. First cousins. And, if that were true, Lyle Patrick and Robert Gannon were half brothers.*

"What makes you say that?"

"Well, my momma said it was the timin' of it all," Ben explained. "Seems like Lyle was born only two months after his daddy got back after the war. Ever'one knew Uncle Will had been spendin' plenty a time over at the Patricks. Rumor is, he promised to marry her just to get her to sell him the land. When Mr. Patrick returned from the war, Uncle Will dropped her like a hot potato. She was already pregnant when Mr. Patrick got back. My momma said Mr. Patrick never did get over it, but raised Lyle like he was his own. When he died my momma said it was from a broken heart."

*Oh my God!!!* Allie gasped, realizing that she had to be extremely careful with her next question.

"Do you know whether either Robert or Lyle knew anything about this?" she queried, hoping that she was not being too obvious.

"Dunno, really, but my momma said that Mrs. Patrick always sent Uncle Will a card on Lyle's birthday just to drive the point home. Momma said that Mrs. Patrick used to send Uncle Will a lotta letters and she saw them all piled up in a box once. Also, if you notice, Robert and Lyle do look a lot alike, except that Lyle's fat and Robert got kicked by one of them horses and limps."

"Do you know which leg was kicked?"

"Yeah, his left'n," Ben recalled. "I remember that 'cause he always mounts his horse funny, from the right side of the horse, so he could swing his left leg around. I think the left leg still hurts him some."



Allie was exhilarated. She was certain that Adam's father had been at the scene of the murder, but had no proof. Yet.



Jimmy was in his office when Allie flew through his door flushed with excitement. She spit out the details of her trip to the Patrick's farm with Ben in rapid-fire bursts.

"Allie, this doesn't mean anything. I don't see any motivation here for Robert Gannon."

"Well, if either Robert or Lyle knew that they are brothers, either of them could have a motivation for the murder," she defended.

"How's that?" Jimmy sneered.

"Lyle is extremely religious and would not have wanted his daughter to have relations with a first cousin. But he was so crushed by Jennifer's death. I cannot imagine that he could have hurt her. Also, I think Adam said that he and Jennifer were getting back together. If Robert knew that he may have thought it necessary to reveal the fact that Jennifer and Adam were first cousins to avoid a marriage. Such a revelation would lead to the discovery of Lyle's paternity, and that Lyle's father was Will Gannon. This would enable Lyle to make a claim for half of the Gannon property. I would think that would be motivation enough. Also, Lyle could expose the fact that Jennifer was Adam's cousin, prevent the marriage and still make a claim for half of the land," she explained slowly.

"Sounds like you just took a will and estate exam," snorted Jimmy.

"And then there is the shoe!" she said with mounting excitement.

"Huh?" Jimmy grunted.

"I noticed that one of the plaster shoe casts indicated that the wearer limped on the left side. Robert limps on his left side."

"Allie, folks all over the county limp. Do you want the sheriff to go out and arrest all of them?"

"No, just Robert Gannon," she quipped.

Allie realized that she was a long way from proving anything. She

had to find the missing clip, and she had to find out everything Adam knew about the murder. He knew that phone lines and Lyle's tires had been cut. He knew that Jennifer was shot through her bedroom window. Adam may have done this, but Allie felt that his father had a hand in it.



At Ben's suggestion, Allie set up an appointment with one of Robert Gannon's oldest employees, Joe Thornton. Ben told Allie that Joe Thornton had lived on Gannon land all of his life and likely lived there when the Patricks owned it as well. Joe was about 90 years old, although he was uncertain since he never had a birth certificate.

On the day Allie met him he looked like a little dried up raisin elegantly attired in his Sunday best. He had donned his straw fedora and diamond tie clip and pulled it all together with a ruby ring on his little finger. He had rolled himself out of his one-room home on the Gannon's property to sit and wait for her in a lawn chair next to his pink 1956 Buick. Although Joe had to get around in a wheelchair, he didn't like sitting in one.

Allie pulled up in her sputtering Pontiac T1000. She was lucky to have arrived at all in that beast. Joe looked up at her with amusement twinkling in his eyes.

"Howdy! You Miss Thompson?"

"Yes, and I presume you are Mr. Thornton?" she shot back waving and smiling at the spectacle he made next to his pink car. "Ben told me all about you."

"Yeah, well, Mr. Ben is nice enough, but he is a sorry fella, that one," Old Joe said with a smile. "But we can't all be ambitious," he said with a grin, revealing a twinkle of gold.

"Mr. Thornton, I am here to ask you a few questions about the Patrick family. And the Gannons. I understand that you worked for both of them, right?" Allie asked in her most official manner while peering into Joe's home with amazement. She had never seen a

one-room home before, noting with a pang that the walls were covered in newspaper and that they were lit with one bare lightbulb hanging from the lopsided ceiling.

"Yep. I know'd 'em all. I raised Mr. Will, Mr. Robert and now Mr. Adam. I also know'd Mr. Jim Patrick, Lyle's daddy, back when he owned this here land."

"What was your job with the family?"

"Well, back when the Patrick family owned the land, I was foreman and ran the crews that worked the land. Back then it was cotton. But of course, Mr. Will bought the Patrick land and everythin' changed after that."

"What do you mean?"

"Will Gannon was greedy. He wanted to diversify. He divvied up the land into cotton fields and fields for corn. He carved out a special piece to raise racin' horses. Once he took over, I worked everythin' but the horse farm. I don't know much about horses. I used to ride 'em around the different pastures a little, but a rabbit spooked my horse one day and I fell with him on top of me. I ain't walked much since. Mr. Robert lets me stay here free. So, I got nothin' to complain about," he said ruefully, false teeth clacking a bit as he closed his mouth.

"What did you mean when you said that you raised Will, Robert and Adam?"

"I took them out to the pastures and taught them about the land and how to take care of it. Mr. Will understood, but ignored everything I told him. Mr. Robert never did understand, even though I talked to him about soil and puttin' certain crops back into the land for the nutrients. He only cared about money, what he could buy and where he could go. He was so upset when he had a deaf son. It just didn't fit in his life, no how. Now Mr. Jim Patrick, he knew how to care for the land. He had a beautiful farm. I learned everythin' I know from him."

"What else can you tell me about Adam? Did you know

that he was arrested for the murder of Jennifer Patrick, Jim Patrick's granddaughter?"

"I know'd he was arrested, but Jennifer wudn't no granddaughter of Jim Patrick," he muttered quietly.

"How do you know that?"

"Ever'body knew. We would see Mr. Will going over to Mrs. Patrick's when Mr. Jim was away. I worked the Patrick land then. We knew what happened, and she was stickin' out to here when Mr. Jim came back from the war," he said gesturing with his hand over his stomach area. "Mr. Jim was a good man."

"Do you think Adam killed Jennifer Patrick?"

"No, m'am. I don't believe he did."

"Why not?"

"I have proof, or at least I think I do. Somethin' strange has been going on for sure," he said. "I been meanin' to call the sheriff, and was glad when you called." He stretched out his withered legs and Allie was shocked at their thinness.

"I don't have much to do now that I'm not workin' and I like to sit outside on a good day, 'specially if there is a breeze like there is now. Last week, right before dark, I was sittin' out here, right by my car, and Mr. Robert came by drivin' real fast. He drove out behind the stable there and got out with what looked like a pair of boots and some gloves and what appeared to be a clip to a semi-automatic weapon, like Adam's deer rifle."

Allie raised her eyes to Joe in question.

"He grabbed a shovel from the stable and started diggin' faster than I'd ever seen anyone dig. He buried that stuff about 50 feet out from the stable. Horses have trampled the dirt down since then, but I don't think it would be that hard to find. Don't think he could see me 'cause I was kinda hidden behind this big ol' taillight here," he grinned, patting the back end of his Buick. "If I were you, I'd call the sheriff and tell him to get over there and start digging."

Allie's knees nearly buckled. She had been convinced that Adam was guilty, nearly from the begin-

ning. Even when evidence began mounting against Robert, she still thought that Adam had killed Jennifer. He was so stoic. So unmoved. She had seen him in pensive moments, but most of the time he seemed cold and detached.

"Joe, I don't know what to say," Allie muttered in disbelief.

"You don't know them people like I do," Joe said kindly. "Mr. Robert was always the problem, not Adam. Adam has a good heart. He might get a little confused sometimes, but he ain't bad. I know that he thinks them ninjas crawl around on a regular basis, and I know that's a little off, but he couldn't a kilt no one. He tried to shoot deer like the rest of the boys around here and couldn't. He's never wanted to hurt anythin'. But Mr. Robert has always done anythin' he could for a buck. He ain't never cared if it was legal or illegal. And he's always had a cold streak. He don't care about people like he should."

Allie nodded her head, still amazed at the turn of events.

"It might be hard for you to talk to Adam 'bout the night the Patrick girl got shot since his parents never wanted him to speak much. They thought he sounded funny and cared more about what other people thought than about Adam's feelings. So, even though he can do it, Adam ain't too good 'bout talking. He sort of gets embarrassed. He might need some help. You can bring him here, if you'd like," he suggested. "Him and me used to go fishin' and he would talk to me some. I figured out how to tell what he was sayin' then. He might open up to me now."

Allie nodded and looked at Joe with newfound appreciation. She wanted to speak with Adam and Joe before she called the sheriff.



Late that afternoon, she managed to find Adam in town. Together they drove back to Joe Thornton's one-room shack. She wasn't sure what Joe thought he could do, but it was worth a shot.

Joe was back out by his car again, this time with a blanket. He felt chilly, and his legs hurt once the sun started to descend. He greeted the duo affably when they arrived.

Allie looked at Joe.

"Joe, I need to make certain that I understand everything he says. Can you interpret what Adam is saying for me?"

Joe nodded his head.

"Adam," Allie said, catching the boy's eye after quickly jotting down her question. "What were you doing the night Jennifer was shot?" she asked, while showing him the written version.

Adam began to speak, enunciating every word as carefully as he could.

"He's a sayin' that he was at Jennifer's house that night, but that he saw Jennifer every night," Joe explained.

"Adam," Joe said, acknowledging Allie's questioning look, "was anyone else there the night that Jennifer was killed?"

Adam hung his head.

Allie touched Adam's arm. "Joe saw your dad burying some boots and gloves and maybe a gun clip," Allie explained. "Do you know why he would have done that?"

Adam did not respond.

"Did you kill Jennifer?" Allie asked.

"No."

"Did your dad kill Jennifer?"

Tears began to stream down Adam's face. His hands shook as he quickly wiped away his tears and began to speak.

"He's a sayin' that his dad did not kill Jennifer, but that them ninjas did it. He's sayin' he saw them," Joe explained.

"What weapons did the ninjas use, Adam?" Allie asked.

Adam looked frantically at Allie and Joe, speaking with an animated voice and waving gestures. "He's saying that he told you that them ninjas shot into her window!" Joe said.

"But Adam," Allie interjected, "I didn't think ninjas used guns or automatic weaponry, although I

admit I don't know very much about ninjas."

Adam looked at his hands, avoiding both Joe's and Allie's eyes.

"Adam," Joe said, getting Adam's attention by gently touching his arm. "What's going on? Do you know why your daddy buried the boots, and gloves and that rifle clip?"

Adam held his head, sobbing in anguish.

"Adam," Allie said, "did you ever ask your dad about what happened that night?"

Adam sighed and began to speak.

"He's sayin' that he cain't speak none to his dad," Joe explained. "His dad cain't understand him and dudn't want to hear what he has to say."

Although Joe was interpreting, Adam struggled to say each word clearly for Allie. Adam touched his chest.

"He cain't tell him how he feels," Joe said. "He cain't tell him that he has always hurt his feelings. He says he is a problem to his dad. He thinks his dad would like it better if he wudn't around."

Adam, exhausted by the effort it took for him to speak, rested when Joe spoke, but began immediately after Joe stopped.

"Adam's sayin' that his dad hates the sound of his voice and that he thinks that it reminds him that he ain't perfect."

Allie's heart ached for the boy. He was struggling to speak clearly, and she was struggling as hard to understand, writing as Joe spoke.

"His dad followed him the night Jennifer was kilt and saw him comin' out of her window," Joe continued. "His dad came up to him before he got in his truck and told him to go home. But he didn't. After his dad left, Adam pulled his truck back off of the road to watch Jennifer's house," Joe said, watching Adam's hand gestures.

"So you pretended to leave, but you didn't?" Allie asked.

"Yes!" Adam shook his head with some relief, happy she had understood. When he spoke, Adam

moved his hands and body to illustrate his words. Allie felt as if she understood most of what Adam was saying by watching his graceful movements, but she also needed Joe's help. It was as if she was watching a movie acted out by Adam and narrated by Joe.

Adam began speaking again. Allie looked to Joe.

"He's saying that he liked watchin' Jennifer's house for a while, and usually left after she turned her light out to go to bed," Joe said, watching Adam moving his hands to mimic Jennifer turning out the light and going to sleep.

"Then, when he was 'bout to go, he saw someone stand up by the road across from Jennifer's house. He says it was hard to see, but he believes he saw a gun. He says the man started crawling and then he saw him crawling up to Mr. Patrick's truck. He said that the man cut the tires," Joe said watching Adam making a jabbing move. "Then he says that the man cut the phone lines," Joe repeated as Adam demonstrated how the lines were cut. "And then he says that the man shot into Jennifer's window," Joe said, looking at Adam carefully. Adam was sobbing and shaking uncontrollably. Adam put his face in his hands.

Joe waited for Adam to continue.

"He says that he wanted to get out of his truck and stop him but he *couldn't*. He says he *couldn't* move!"

Adam wept uncontrollably.

"He thinks he coulda saved Jennifer if he coulda gotten out of the truck," Joe explained.

Adam continued speaking, moving his hand over his face.

"When the man came back from the house he could see him better because the moon was shining on his face," Joe explained. "He says it was his dad. He thinks his dad killed Jennifer, but he don't know why!" Joe exclaimed.

"Adam thinks his dad used his gun and then put it back in his truck the morning after Jennifer was killed. But he don't really

know. He's guessin' at some of that," Joe explained, watching as Adam wiped tears from his face.

Adam sobbed, breathing heavily, feeling a sense of relief. He was shaking so much that he had to lean against the car.

"What do you want to do, Adam?" Allie asked.

"Could you call the sheriff?" he asked, standing up again looking out over his family's pastures and stables. He was steadied by the vast horizon across his family's fields and Joe's solid gaze in his direction.

"I can talk now." 



**Cynthia L. Tolbert** is a senior attorney with Buckley King in its Atlanta office, practicing in the field of

products liability, professional liability and premises liability litigation. She is licensed to practice law in Louisiana, Mississippi and Georgia. Tolbert graduated from the University of Mississippi School of Law. Prior to law school she earned a Masters of Education from the University of Southern Mississippi. She was an associate professor at Loyola University School of Law from 1993-96 and managed the Homelessness Clinic for the Gillis Long Poverty Law Center at that time. Tolbert has published several professional articles. This is her first published work of fiction. She resides in Atlanta with her husband. Tolbert may be contacted at [tolbert@buckleyking.com](mailto:tolbert@buckleyking.com).



GEICO  
geico.com

There's someone you need to meet.

Members could get an additional discount.

**1-800-368-2734**

Discount amount varies in some states. One group discount applicable per policy. Coverage is individual. In New York a premium reduction is available. Some discounts, coverages, payment plans and features are not available in all states or in all GEICO companies. See geico.com for more details. GEICO and Affiliates. Washington DC 20076. GEICO Gecko image © 1999-2010 © 2010 GEICO