

## Where There's a Will

by H. W. Moss

Ice cubes rattled as Mateo drained his Scotch. He looked at the cold contents of the glass wistfully as if contemplating a passing wonderment. Then he waved at the bartender -- ever attentive to the motion -- who immediately came over to pour.

“I never have time for anything these days,” Mateo’s drinking buddy said from the barstool next to him. The pour over Mateo’s glass ended and the bartender held the bottle aloft, half tilted above the other. “Sure,” Gilroy said barely missing a beat in his soliloquy. “I mean, I never see my wife or kids, let alone my attorney,” he lifted his refreshed glass and polished off the whisky in one pull. “So here’s to ya, ol’ buddy.” He brought the empty container down and banged it on the counter with a satisfied smile. “That’s mainly because things have been going so well at work. I mean, the paper is really paying off after all those years of struggle.”

“So how does a weekly do in a sea of them?”

“If I tell you my accountant says I have to buy an SUV, does that answer your question?”

“Certainly. A gift to the upper class: accelerated tax relief. But, it’s great to see success. Always makes me wish I’d gone into a different profession. Y’know, I almost became a newsman. I was on the journalism staff at both city college and state. My undergrad major was literature, minor in journalism. In fact, that’s what kept me out of the army when I got drafted.”

Gilroy looked at Mateo with a squint. “How d’ya mean?”

“Flunked the physical because I went to college.”

“How d’ya mean?”

“Was playing baseball on the state college journalism team against the city college journalism team. I knew all the professors and most of the players. I went for a fly ball, landed on my shoulder, tore the ligaments. High riding clavicle. Wanna feel my hump?”

Instead of accepting the offer, Gil waved at a patron at the far end who nodded awareness, but was otherwise occupied.

“If that hadn’t happened I’d probably bought it in Vietnam,” Mateo concluded.

“Yah, well,” Gilbert said turning back to his friend. “I found a lawyer who specializes in trusts. I’m going in Monday to sign the final draft, but it was a really long, grueling process. Hopefully the family won’t have to go through probate when I’m gone. Glad that part’s over. I could never write out my will all by myself. I needed someone to aim me.”

Mateo sniffed his Scotch before he sipped at the rim. He loved the odor of the rich liquid as much as he enjoyed the taste.

“Wait a second,” he said as he set the tumbler down on the wood surface and reached for a cocktail napkin. “You telling me you don’t have a will, but you’re going to sign the trust documents Monday?”

“That’s about the size of it.”

Mateo pulled a pen from his pocket, twisted it to extrude the ball point and handed it to Gilroy. He opened the napkin which formed a square “It’s not difficult. Here, look, make a list, write down what you own.”

Gilroy was momentarily taken aback. “What I own? You mean like I did for the trust documents: house, car and wedding ring?”

“That’s right. Leave some room at the top. And don’t forget you have an interest in a thriving newspaper. Just itemize them. Right.” Mateo watched his friend push the pen down the six inch piece of thin white paper as he made an inventory. “And keep it simple. Remember, brevity is the soul of wit.” One item caught his eye. “I’m reading upside down, but what’s a Burgher painting?”

Gil looked up from his concentrated efforts, pen in left hand halted over this last entry. His handwriting was not yet affected by the alcohol. The fifth item after “The Weekly newspaper” and “house and contents” was the reference to a painting.

“Been in the family for years. Haven’t I ever shown it to you? Hangs on the wall in the living room. We call it the Burgher but it’s an oil of a burgomeister and, we think, his wife.”

“Know who painted it?”

“Not really. It’s signed but you can’t read it. I suppose an art historian might be able to identify it. Did I tell you I’m descended from aristocratic European stock? Yah. My mother got the painting from her mother, who inherited it from her mother and so on ’til way back before the war. The big war, the real war, World War One. Anyway, my great grandmother brought it over when she married a wealthy American industrialist, my great grandpa Mose, who left everything to his mistress, not great gramma when he died the bastard. About the only thing Mom’s mom got was the painting and the only reason she did was because since she inherited it from her mother, great gramma could prove it came to the marriage as prior owned. Anyway, that’s how Mom explained it to me.”

“Right,” Mateo agreed. “Not community property. It’s yours, you can devise it any way you want.” Gil held the napkin up toward Mateo who said, “That it?”

“You told me to be concise.”

Mateo sipped his drink with one hand, reached for the piece of paper with the other.

“Hmm. Uh, hunh. That’s good.”

“What is? The drink or what I wrote?”

“What you wrote, of course.” Mateo placed the paper down in front of Gilroy.

“Now at the top I want you to print, I -- and give your full name including middle name -- being of sound mind and body, do hereby bequeath my worldly possessions to and put a colon. Good. Now, at the bottom today’s date. Technically, it’s still the twenty-first, not yet midnight even going by bar time.” He pointed to the clock on the wall which said it was 11:33. “That’s Twenty minutes fast.”

Gil did as Mateo dictated, asked “You want the time there too?”

“Okay, sure. Now here’s the hard part: So who do you want to receive the munificent beneficence of your accumulated crap, er, uh, things?”

Gilroy considered this for a second. “Well, in the trust I provide for Emma and the girls and then there’s my sister and brother.”

“So write that. Put a name after each item, unless you want them all to go to Emma. At the bottom I want you to sign your name.”

“How about cash? I have a considerable amount of cash in the bank.”

“You wanted to leave something to your quibbling siblings, now’s the time.”

Gil added to the list.

Mateo said, “Good. That about it? ”

Gilroy paused and looked across at Mateo. “You know, I really want to leave something to my nephew, Milo. He just turned 18 and going to the local JC. Majoring in

western civ. It'd be nice to leave something to him. I haven't put him in the trust yet. I was thinking of adding him Monday. Hah! Can you imagine Emma's face if she ever found out? She hates him. I always liked the kid, he's such a cut up. Really clever ever since I gave him a book of magic tricks for Christmas when he was ten. Next thing I know, he has all the card tricks down and he's got a funny nose and glasses or pulls a red nose out of his pocket every time he wants to crack me up. I think it would be great if he got something."

Mateo said. "Give him the painting. Just put Milo's name after the Burgher."

With a flourish Gilroy scratched out Emma and wrote the boy's name.

"Now sign it, write 'witness' and draw a line. Ok. Give it to me." Mateo signed on the last line, printed his name and wrote the date after that. He held the scrap of paper aloft. "That's how easy it is. Your trust will supersede this because it will have Monday's date. If you don't get in there Monday or if you put the signing off for whatever reason, this can serve as your holographic will. Doesn't even need a witness, although it's all the more legal since I was here when you wrote it."

Gil stared at Mateo with sudden dawning realization. "You're not going to charge me for this, are you?"

Mateo looked indignant. "What? No, of course not. I'm a prosecutor. This was merely an exercise to demonstrate how easy it is to create a will and devise an estate." He folded the napkin and put it in his jacket pocket.

"Fuckin' lawyer talk. You guys are all alike."

"I'm not an estate lawyer and I don't do trusts. But this is law school stuff. And besides, what are friends for?" Mateo asked as he drained his drink. Gil gulped his down

and both glasses were empty once more. Mateo said: “Time to hit it. I gotta get up in the morning. You don’t.”

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Red lights blinked in bright array as one highway patrolman cordoned off the area and another directed traffic around the accident. It was starting to drizzle by the time Mateo arrived. He flashed his ID and the patrolman lifted the tape to let him pass.

“Looks like vehicular manslaughter to me,” the officer opined.

“You an attorney or a cop?” Mateo growled. He was in a bad mood, had been called out of his deep alcohol induced sleep to be the first one from the district attorney’s prosecutorial team on the scene. He volunteered for the privilege decades ago and somehow no one else ever came forward requesting the honor instead. “With hours like these . . .” Mateo muttered.

“Glad you could make it,” the voice beyond the halo of light was familiar.

“Hiya, Doogy. What’s up here? You think this is one for our office? Got any coffee?”

The detective wore a three piece business suit, unusual in a two piece world. “I wouldn’t have had them call you if I didn’t. No. We don’t do catering.”

“Fill me in,” Mateo clapped his hands together to get the circulation going.

“Pretty simple. Driver was intoxicated, we ran a breath test.” He motioned toward a man sitting on the curb, his head in his cuffed hands, a policewoman standing watch over him. “Dodo crossed the Great Highway divide, rode up on the sidewalk and hit a jogger. Killed him pretty quick. No ID. We arrested the driver and called for an

ambulance and a tow truck.” Doogy paused, added, “It always amazes me how you get here before the pickup occurs.”

“Gonna let me see the stiff?”

“Why, you think you might know him?”

“Never can tell.”

They approached the blanket covered the corpse.

“Can you imagine jogging this early in the morning?” Detective Doogy asked rhetorically. “Sun not even cracking a smile and this guy’s out running.” He instructed one of his men to pull the material back.

Mateo took a long look, considered the dead man’s features, turned to the police officer and said, “Nope. Not this time.”

“Well, we have things pretty much under control,” Doogy said. “You can interview the perp Monday morning. At the moment, I suggest you go back to bed.” A pager on Doogy’s belt went off and he unfolded his cell phone. “Doogy.” Pause. “Yah? How many? Got it, on the way.” He closed the cell, turned to Mateo and said, “Listen, Sam. That was dispatch telling me I have a triple homicide to investigate at The Cliff House. Ain’t that a co-inky-dink? Right up the road here. Care to join me? That way I won’t have to wake you twice.”

The murders had taken place indoors at the historic structure. Dawn was beginning to glow in the east but the Pacific Ocean was still black as waves splashed off Seal Rock. Mateo was more interested in the crime scene than the view.

He turned toward the medical examiner. “Know who they are?”

The lights were on and the room was bright even for such a high end night spot as this, but the examiner was in the midst of a close-up investigation using a flashlight. He sat back and said, “All three are employees. The manager is over there,” he pointed out the form of a man asleep on the floor, “named Fred Gee. This is his assistant, name of Raymond Arriola, and over there,” he shown the light on a chair near the huge windows that overlooked the sea. The skinny form of a white haired older man was slumped over the table, apparently also asleep. “That’s Zewan Huang, I think I’m pronouncing it correctly. Bus boy, aged 63. All of them were shot execution style in the back of the head. My guess is a .22 but I won’t know for sure until I find something to identify.”

Mateo turned to Detective Doogy. “What do your people have on the killer?”

Doogy looked at a policewoman with a clipboard. “Can you answer the man, Blithe?”

“Nothing yet. It wasn’t even noticed these guys were here until Gee’s wife couldn’t reach him on his cell and called us to investigate. Patrolman saw the guy in the window seat, called for backup and eventually we broke in since there wasn’t anyone around with a key. Door locks automatically when you exit. I figure they were surprised by their killer who must have hidden until the place closed, in the restroom maybe, because the building was locked up tight. These guys were just closing and heading home. What a shit deal.”

“Think the killer was after the night’s receipts?”

“Can’t tell, but it looks that way. No cash around. However, I’m hoping we can identify the liquor that seems to be missing and at least decide on his taste.” She pointed out the gap in the bottles lining the back bar. “My bet: tequila.”

Mateo's stomach rumbled and he belched up a gas bubble that smelled of his earlier whiskey drinks. "Okay. I've seen enough. It's way past my bed time and I have a case to prepare for Monday. Send the report to my office."

Doogy said, "Gotcha. See you downtown Monday morning."

Mateo stopped before he reached the front door and turned around. "What? This coming Monday?"

"Yah. The Dollar Store case. You're prosecuting one of my collars. I look forward to you calling me to testify."

"Great," Mateo muttered as he shoved his hands in his pockets and walked out into the sea mist. He inhaled a lungful of salt air. "A potential conflict of interest," he said as he exhaled.

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Warren pulled up alongside the big rig. From his vantage point inside on the driver seat of his quarter ton pickup he could not see far enough into the interior of the cab opposite to be sure anyone was in there, but a light was on. So Warren got out with mag light in hand and hopped onto the running board, grabbed at the door handle and popped it open with one swift motion. The startled driver sat on the far side in the shotgun seat holding his own flashlight. Warren had interrupted his reading a magazine. Warren immediately recognized the content by the scantily clad and possibly underage girl on the cover.

"What the fuck?" the driver demanded.

"I'm asking the questions. You're supposed to be in the gravel run. We got 40 more tons to move and you're over here pulling your pud."

“Who the fuck are you?”

“Like I said, I’ll ask the questions. But excuse me, maybe I didn’t introduce myself properly. Warren Lincoln Frampton the Third, supervisor of this highway rebuild, your boss’s boss. Now what’s your name, let me see some ID.”

“This is bullshit. I pulled over for my hours of service rule break.”

Warren had several laughs, one he reserved for demonstrating contempt. He made the mirthless sound and said, “You haven’t been driving eight hours. I saw you arrive at 9:00 to start your shift. It’s only 2:30 in the morning now. I find you goldbricking and you try and pull a legal punch on me? I’m, sorry. I really underestimated your courtroom prowess. Now hand me that ID.”

When the man made no move to comply, Warren jumped back down off the truck, picked the squawker off his belt and hit the send button. He called out his name, listened for a screech before he said, “I need Hogan the trucking agent. Yah, I gotta talk to him about one of his boys.” He looked up at the shaggy head of hair that hung over the side of the big rig, two beady eyes staring down at him, a card in one hand, and said, “Gimme that.” At this point the driver passed his license to Warren.

“Yah, Hogan? I got this fellow,” he walked over and sat behind the wheel of his truck, read the name in the sharp glow of his map light. “Conner Evans. You know him? I got a problem with him goofing off on a side road. Now, look, I don’t care what you do with him, but you have less than three hours before we close up for the night and I need 40 more tons of rock up here before then, you got that? So I’m giving him his license back, I’ll let you deal with him.”

Warren jumped up on the running board of the big rig, shined the mag light directly in Evans' eyes, said, "I'm cuttin' you some slack." After writing the name and driver's license number in his roster, Warren handed the man back his ID. "Now get your ass out of here."

Warren watched as Evans fired up the semi, ground one of the lower gears' syncros, belched a thick black cloud from the flapping top of his exhaust stack and rolled into the dark morning.

When he turned around to return to his own vehicle, Warren was clubbed in the back of his head with a mag light as large as his own. He fell to the ground without a whimper.

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Doogy and Mateo met in the hallway outside court during recess, agreed to have lunch together in the cafeteria downstairs.

"You got me to admit we don't have much on who knifed the Dollar Store clerk," Doogy said ruefully as they waited in line to pay. "No weapon, no prints, no witness, nothing except a time lapse between when Cregor has an alibi for where he says he was and where the robbery took place. You working for the defense now?"

Mateo carried a tuna salad and coffee on his tray. He said, "Hell no. Just being careful. I don't want the little shit slipping away because he didn't make any mistakes. Good police work, that's what's going to nail him. You think I don't know what to do with that big blank space of his? I'm going to have him fill it with so many contradictions when he finally sits down the jury will fall into the same line of thinking that made you

arrest him in the first place. Circumstantial evidence is as good as eye witness testimony any day.”

Doogy made a lethargic swipe at a gnat buzzing his soup bowl. His response to Mateo’s planned interrogation reflected reverence for the tactics. “That’s not bad, I gotta admit. Not bad. It might even work.”

Mateo handed the cashier a twenty and waited for his change. As he accepted the coins and paper, he noticed an error, but it was in his favor. The cashier mistook a ten for a one and gave him back more than he should have received. He said nothing and quickly pocketed the money.

“Any thoughts on the Cliff House?” Doogy said as they took seats at a table. He tore a piece of crust off the sour dough bread that came with his soup and dunked it in the liquid lunch.

“We both know who, we just don’t know how and why, do we Doogy?”

The two had been working homicide cases together for more than fifteen years. They met several times at crime scenes before they remembered one another’s names. First they shared thoughts, then they shared notes. Eventually the unusual combination of the chubby but well dressed detective and the trim, determined civil servant began to look to their colleagues like they were whelped together. Anderson Doogy, Jr., and Samuel Peasley Mateo, Esq., joined specializations to arrest, then convict hundreds of violent criminals and gang members, murderers and contract killers over the years. Mateo was personally responsible for almost twenty percent of all death row inmates awaiting execution in the state and he would not have a record like that without Doogy’s help. And vice versa.

“I’m thinking Fenster. You?”

“The same,” Mateo agreed. “We got two pointless shootings, a small caliber weapon used in both. Assailant hides until closing, then bam! Pizza parlor, upscale restaurant.”

“Well, I was thinking along those same lines which is why I had Fenster picked up Sunday afternoon on an outstanding bench warrant. Going to have to cut him loose in 72, but I put him in a cell overnight with a few other punks just for laughs.” Doogy hungrily spooned soup, abruptly set his utensil down beside the bowl. He laced the fingers of his two hammy hands on the table in front of him. “I really am tired of bringing that prick in only to have him wriggle out of the charges again and again. Last time a witness fingered him for the Grand Jury, the witness was killed before he could testify in open court.”

Mateo said, “I remember it well. No witness, no case against him.”

“So I had a conversation with one of his overnight bunk mates this morning before court, a three time’s the charmer. He actually named Fenster in the Cliff House.”

“You gotta be kidding,” Mateo sounded astonished. “And you didn’t call me right away?”

“Wanted to be sure the story stayed the same and I think it will when I get back to him with our deal, yours and mine. He got picked up on a narcotics possession charge which is a parole violation that has him facing 25 to life. Kid’s only twenty-one and a three time felon, can you beat that? So he told the sergeant he knew something about the Cliff House and how it went down, do we want to cut a deal?”

Mateo was obviously torn. “I bet I know who you’re talking about: Pablo Wong. Father’s Mexican of Chinese descent. I gave Pablo the opportunity to bend over and pick up his first bar of soap. I don’t like letting him skate on, what was it this time? Cocaine?”

“You nailed it. Nice guess.”

“Plus, I hate using jail house informants. The defense knows how to manipulate them and they lie to me because they know what I want to hear. I don’t like letting Wong off even though I know he’ll be back. But it’s the Cliff House I do want. You saw today’s paper? ‘Police Puzzled by Triple Murder.’ I’m not puzzled. You and I both know it was Saul Fenster.”

“Alliterative headline is all. Yah, Fenster. No doubt about it. Wong says so, too.”

“This kid named him out of the blue?”

Doogy nodded affirmatively, held his hands up palms exposed in a denial gesture. “I didn’t give him any suggestions.”

“Fine. Tell Wong we have a deal if he goes to the preliminary and identifies the Cliff House killer from a confidential confession we like to call ‘jail cell remorse.’”

“Sure thing,” Doogy said. “I have an appointment with him in county lockup this afternoon. I’m sure he’ll cooperate.” Over his last spoonful of soup, Doogy added: “By the way. You hear what happened to Gil?”

“No, what?”

“Dropped dead Sunday afternoon in his garden. Heart stopped. Dead before he hit the ground.”

“No kidding.” Mateo wore the same rumpled two piece suit he had on Friday. He reached into his jacket pocket where he found the napkin. He held it up for Doogy to

examine. “This is spooky. I got him to write out a will for me Friday night over drinks. I just hope he signed his trust. Otherwise, the county is going to have to probate a cocktail napkin.”

Mateo finished his coffee, stood and brushed crumbs from his lap twice. “Just one thing,” he said as Doogy pulled his coat off the back of his chair and threw it casually over his shoulder. “Is this Wong thing, like, it’s snowing in Marin?”

“Yep,” Doogy replied. “It’s snowing in Marin.”

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When Warren came to, the sun was burning his face. He sat up and rubbed the back of his head, looked around and realized his truck was gone. Although he still had his pager, his cell phone, camera and clipboard were missing. When he stood he realized his boots had been stolen as well.

It was a long hike back to the shack along highway 49, but he made it in just over an hour. His feet were sore when he finally sat at the desk and checked his watch. At least they had not stolen that, he thought. He plucked the telephone from its cradle, punched 911 and listened to a recorded message. Finally, a human voice came on the line.

“Nine one one emergency. Officer Entire here. What is the nature of your emergency?”

Warren was testy. “I haven’t got time for jokes,” he said a little too harshly. “Get me your supervisor. I need to report a stolen vehicle.”

“This is not a joke. I am a supervisor. The name’s Entire. Captain John Entire. State your name and a description of the vehicle.”

Warren explained how he had been mugged and gave the year, make and model of his truck, then offered its license plate number. “This oughta be reported to the highway patrol right away,” he concluded.

“Passing the word along. Also sending a squad car to pick you up. You’re in the middle of nowhere California. I suggest you sit tight until our driver can get there. In other words, don’t try hiking out.”

Warren looked at the dirty soles of his feet, noted the holes in the material from his short sojourn and said, “Sitting tight, Entire. Please send someone right away.”

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Tuesday morning and Mateo was in the office well before anyone else arrived. He made a habit of arriving early to prepare for his cases which he sometimes scheduled back to back.

Yet he kept his desk so orderly he was called Meticulous Mateo by other members of the District Attorney’s office. Files were in exactly aligned piles separated by spaces that could be measured in microns. He noticed a new arrival immediately, flipped to the intake form on the inside cover and read it with a slowly growing smile. He turned to his computer terminal and used the mouse to open a copy of Doogy’s interview with Wong.

Mateo developed a strategy to get Wong to testify against Fenster. But that wasn’t enough. He waited until nine, got Doogy on the phone.

“What’re the chances of getting Fenster’s jail house confession to include the pizza parlor?”

“They’re good, they’re very good. Wong wants to save his ass. He’ll do anything to have us lay off the possession charge. I’ll tell him what we need, you take it from there.”

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At the prelim on Wednesday, Pablo Wong testified that he had been told in strictest confidence by the defendant he was not only the triggerman in the pizza parlor shooting, Saul Fenster was responsible for the triple murder at the Cliff House over the weekend.

The defendant rose and shouted, “Dawg. I didn’t do it!”

The judge banged his gavel in response and warned the defendant that another outburst would not be tolerated.

Mateo excelled at convincing a judge or jury of his theories, in this case that Saul Fenster had lain in wait at both locations and committed crimes with special circumstances, which carried the death penalty. He knew he had the hearing under control and now it was simply a matter of driving home one important point: Lieutenant Anderson Doogy, Jr., had not interrogated Wong until the morning after the young man was put in the same cell with Fenster. Although he had been arrested for cocaine possession, it would not be necessary to explain to the judge those charges had been dropped.

Unfortunately, Fenster’s defense attorney countered this part of the prosecution’s theory.

“You say, Mr. Doogy, you had no prior contact with the witness? Is that correct?”

“That is correct. Yes”

“You did not contact or meet with him before Sunday when he was somehow assigned to the same cell as my client.”

“That is correct.”

“And the next morning he came forward to say he had evidence against my client. Is that correct?”

“Yes.”

“Yet you examined his case file, his ‘jacket’ as it is sometimes called, just one week before the witness came forth with evidence against my client.” The defense attorney held a thick brown folder up for the judge to examine. “Your Honor, I would like to present this as exhibit C, the case file labeled Wong, Pablo. You will note Mr. Doogy’s initials here which we have previously determined are how he signs for a dossier.”

“What do you hope to demonstrate with this file?” the judge asked as he flipped it open to examine the intake card.

“That Mr. Doogy met with the witness a week before the witness so conveniently ‘solved’ two cases for him. That some time over the weekend Mr. Doogy again met with and coached the witness to name my client as the perpetrator in both of these crimes. This is a desperate plan to solve two high profile crimes. Mr. Wong fabricated this testimony against my client with the assistance of Detective Doogy. That testimony is false.”

Before the judge could react, Mateo was out of his seat like a shot. He positioned himself in front of the court and asked to examine the handwriting under question. After a few seconds of intense concentration, he turned toward opposing counsel with razor thin pursed lips and nearly shouted his outrage.

“Do you know what you are suggesting? You are saying I suborned perjury!” Spittle flew from his mouth with this last statement. “If you think this is perjury, you should bring charges! You haven’t done that.”

The judge interceded before the defense lawyer could reply. “Let me have that Mr. Mateo.” He placed the folder on his desk open to the page in question, took a look at the hand writing and said, “No. Although someone sighed for this file on that date, I don’t believe these are Mr. Doogy’s initials.” The judge held the file in front of the witness. “Mr. Doogy. Are these your initials?”

“No, Your Honor.”

“That’s what I thought. The exhibit will not be introduced as evidence.”

Mateo looked as surprised as the defense attorney who retrieved the folder with an expression best described as incredulous. He said, “I don’t believe what I just heard, Your Honor.”

“Well, believe it. Do you want me to repeat myself? The evidence is rejected. Continue with your case, if you still have one.”

There was defeat in his voice when the man replied, “The defense rests, Your Honor.”

“What good news,” the judge said as he brought the gavel down and added, “court is adjourned until tomorrow, 8:00 ayem sharp.”

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Warren’s truck was found abandoned in San Francisco Thursday afternoon. The keys were still in the ignition and there seemed to be no damage. It just ran out of fuel. He was informed by his insurance company he would have to personally retrieve it.

He took Friday off, rented a car and drove to the City where he dropped the rental at the agency on Van Ness and hailed a cab. He told the driver he wanted the police impound lot on Seventh between Bryant and Harrison.

That same afternoon, Mateo sat back in his chair, his feet resting on his desk, and offered to refill Doogy's paper cup. With the merest hesitation, the detective held the container out. "Got any ice?"

Mateo casually reached into a small refrigerator directly behind him and retrieved a couple of cubes. He dropped them into Doogy's drink which caused the brown liquid to slosh around as a drop or two leaped to their death on the carpet.

"Gilroy's will was read yesterday in Superior Court," he said. "Since he did not actually sign the finalized trust documents, the napkin rules."

The irony was not lost on Doogy who snorted a laugh into his drink as he took another sip.

"Wanna know what the real surprise was?"

"You mean besides the fact that a cocktail napkin will determine the direction of a multi million dollar estate? Sure. What?"

"Immediately after the executor was appointed by the court, he identified the painting."

"It's valuable?"

"Worth more than the rest of the estate combined."

"How is that possible? What is it, a Van Gogh?"

"No, turns out it's Flemish. It's called *The Burgomeister of Delft and his Wife*, circa 1654, oil on canvas by Jan Steen, a Dutch Baroque painter. Been missing for years, all the while apparently in private hands."

Doogy made a satisfied sound as he drained the cup.

"Probably worth ten million. Emma doesn't get it. Her nephew does."

“Well, good for him,” Doogy said with a chuckle. He held his cup out for another shot. Mateo obliged and refilled his own.

“Fenster is as good as locked up forever,” Doogy said as he drew the drink toward his lips. “The penalty phase ought to either keep him on ice for the rest of his life or shorten it considerably. And did I tell you how much I value you going to bat for me? That rat bastard attorney of his practically called me dirty. Couldn’t believe it.”

He and Mateo formed their own mutual appreciation society. “Well, that particular defense attorney leads the league in fumbles. Besides, we couldn’t have done it without your sterling arrest record and impressive case busting history.”

They clinked paper tumblers as a toast.

“Just don’t go dancing in the end zone yet,” Mateo cautioned. “When you think about it, the judge could still change his mind about you signing for the Wong folder. How’d you miss that when you were cleaning out the file?”

“Frankly, I don’t know. Just lucky I guess. But what else can we do for fun?”

“How about I’m tired, it’s Friday, I want to go home and take a shower. By the end of the week this place makes me feel dirty.”

Detective Doogy rose and said, “Can you give me a lift to the BART station?”

Mateo’s car was in the lot. The exit gate was an arm that came down and blocked the sidewalk. He put a plastic card in a slot and the gate rose as he was reaching around behind him for a box of Kleenex. His foot slipped off the brake and came down hard on the accelerator which made the vehicle shoot forward.

Warren was walking past at just that precise moment when four individual actions coincided with one deadly result. The drinks Mateo had consumed obviously made him

careless, the act of reaching in the back seat caused his foot to come off the brake pedal and hit the gas plus Warren on his way to the office of the impound yard during those exact few seconds all conspired to cause Mateo to hit the pedestrian with such force it knocked Warren to the ground. His head hit the pavement almost exactly where he had suffered the flashlight blow four days prior and his skull was immediately cracked, his brain pierced by a piece of bone and he stopped breathing almost instantly.

“Holy shit!” Doogy shouted. He jumped from the passenger seat and ran into the flow of traffic which continued unabated down Seventh Street despite the obvious tragedy of an injured man in the street. Mateo joined him with a stunned expression on his face.

“Jesus, I didn’t see him. I can’t believe I did that.”

Enough pedestrians formed a crowd to allow Doogy to take control of the situation. He told a man holding a cell phone to call an ambulance. When a woman attempted to comfort the fallen man, Doogy shooed her away. “Unless you’re an MD and your E and O insurance is up to date, don’t touch him.”

It was clear, however, that the man was dead. The ambulance attendants who arrived in minutes confirmed this. Doogy found a piece of gum in his pocket, began chewing it furiously. When a uniformed officer at last arrived, he got out his pad to interview Mateo. Doogy took his place telling Mateo to get back in the car.

Doogy pulled his badge from his hip pocket and told the officer who he was. “I can tell you what happened. That man, the pedestrian, ran in front of us just as my driver was coming out of the lot. He jumped in front of the car as we were exiting and you can see the result. Clearly an accident with no legal consequences. I will have my driver give you

a statement after we are finished today. Right now, I have to be at a crime scene which is not going to be fresh for long. Is that all you need for the time being, Officer,” he read the name on the badge, “Blake? I can get back to you with details after we complete the call my driver is taking me on.”

Reluctantly but with the assurance his own job was secure in that he had followed procedure and his duty, Blake folded the note pad and popped his pen closed. He put them both away and said, “Certainly sir.”

Before the ambulance was gone, Doogy redirected the crowd of people and the stretcher attendants so that he and Mateo could leave before a breath test could be administered.

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