

COLD COCKED

I snapped four shots of Stephen Kilbourne with the Polaroid his wife had given me. He made such a gruesome sight lying on the hardwood floor that I wondered if I'd overdone it. I set the pictures aside, tucking one in my coat pocket for a little insurance. For the *pièce de résistance*, I fired three shots from Kilbourne's old .357 into his sofa, coffee table, and expensive hardwood floor. Mrs. Kilbourne would probably scream bloody murder.

Then again, that was precisely why she hired me. I took my cell out and hit speed dial. Just as I hit call, the world turned black and filled with stars.

The next I thing I remembered was the smell of rubbing alcohol. I hated that smell. I hated hospitals. Yet hearing the beeping of a heart monitor somewhere nearby, and the soft, but tinny tones of an intercom told me that was where I was.

My eyes fluttered open to a white blur. Slowly, I realized my head hurt. My neck hurt worse. I could make out a human form leaning over me, but no face.

"What happened?" God, I sounded like I was dying. Maybe I was. "Did I slip on some ice?"

"Not exactly, Mr. Kepler," said a man's voice. I assumed he was the figure hovering over me. "You took a blow to the head and have a concussion. We're keeping you here for observation."

"Where am I?" In a hospital, stupid!

"MetroHealth. You've been here for over two hours, in an out of consciousness. We had to put twelve stitches in the back of your head."

Fully updated, I took the opportunity to lapse back into a nice, comfortable coma.

The next time I came to, the world wasn't so fuzzy. Neither was my lawyer. Jack Micelli had a handsome, chiseled face that reminded me of Ray Liotta. His suits and silk ties usually cost more than what I made in a month. Today was no different. He sat by my bed, briefcase in hand.

"I'm in trouble, aren't I?" I asked, still hoarse.

Micelli nodded. "Oh, yeah. Stephen Kilbourne has four slugs from your gun in him."

"He's...?"

Micelli nodded, but said nothing.

"Have you talked to Windsor? He knew this was going down beforehand."

"Frank Windsor has been stuck at the Justice Center getting a rectal probe from Internal Affairs. Whatever you two were doing, it blew up. The shit hit the fan and splattered all over Cleveland."

"Who's working the case?"

"For Homicide, Bertkowski. Wants to know why his own partner kept him out of the loop."

"Because I don't trust Bertkowski."

"It gets worse. Garcia himself took Windsor's case for Internal Affairs. He's under strict orders not to talk to you, to the press, anyone. Hell, he needs a note from Garcia just to order a latte at Starbuck's."

I sat up, much to my skull's regret. "What about me? Am I charged?"

"Bertkowski says this whole thing stinks to high heaven. I agree. Since when do you kill your client's spouses, Kepler?"

"That's what I asked Sarah Kilbourne the other night. Seems she didn't believe me when I said her husband was clean."

"How did she react to that?"

"She gave me five thousand dollars to kill him."

In the middle of the night, something fell over my head. I awoke in a panic, thinking it was a bag or, worse, a pillow. I managed to push the thing down to see all three hundred pounds, six feet and five inches of Paul Bertkowski standing over my bed.

"Hey! You can't come in here without my lawyer present!" Where the presence of mind to say that came from, I'll never know.

Bertkowski shrugged his huge shoulders. "That's only for interrogating suspects."

"I thought I *was* a suspect."

"You are. But I'm not here to interrogate you."

"Then what...?"

"Take a look at your coat."

I took a look at it, a tan London Fog coat that I took out every November and would stash again in early April. "Yep. It's a coat. Why?"

"Did the ambulance stop at the dry cleaners on the way over here?"

"I doubt it, but I was a little under the weather at the time." I looked down again.

"No blood."

"No blood. I spent the evening at the morgue. They said Kilbourne had four bullets from your gun in him when they brought him in. How did you shoot a man at

point blank range with a Browning 9mm and not get any blood on you?" He gave me a crooked grin. "Oh, and why was there raw hamburger under your fingernails?"

I laughed, in spite of my head. "That was Frank's idea."

"Well, whatever that idea entailed, it's got Garcia all hot and heavy. He's got a meeting with the County Prosecutor. They're going to put a warrant out on you first thing tomorrow."

"And Frank?"

"Suspended. Want to tell me what happened? They wouldn't let me talk to Frank at all today."

I told him. He didn't like the story at all. He believed it, as far as I could tell, but he didn't like it.

"You know, there was a better way to do that. You could have stalled and worn a wire."

I shook my head, to my instant regret. Pained stabbed through my neck with each motion. "Wasn't enough time. Said someone else had offered to do the job."

"Who?"

"That's what I want to know."

Bertkowski went to the closet and tossed me a gym bag. "Get dressed. We're going for a ride."

"Where?"

"Out of here. You can sleep that concussion off just as easily on my couch and for less money."

"Why am I going to your place?"

"You think a manhunt for a fugitive would lead to the home of the lead investigator?"

He had a point. I just wish I knew what he was up to.

We made our way down St. Clair toward Slavic Village. Little traffic moved at this hour. Dirty piles of icy snow buried every street corner. It was January, and even the homeless people had gone in for the night. Behind us, the three towers of downtown loomed, silent and floodlit.

The police had my gun, obviously, and my cell phone. Once in Bertkowski's car, I patted my pockets to see what they'd left me. Reaching into my inside pocket, I felt something. "Turn on your dome light."

He did. I handed him the photo I'd found in my pocket.

He pulled over to the side and looked at the photo. "You took this of Kilbourne?"

"Yes."

He handed it back to me. "Whoever rang your bell did a good job cleaning up the scene. He left your gun, but took the photos, the camera, and Kilbourne's weapon. You say you shot this one."

"Yeah. Right after I put three bullets into the furniture."

"We're going to take a little detour." He turned south off St. Clair.

The Cuyahoga County Medical Examiner's Office occupied a brand new building just east of downtown on Cedar. The graveyard shift, pardon the pun, had just started work when we arrived. Bertkowski flashed his badge and got a little static from the attendant on duty. Bertkowski asked to see the supervisor.

A slender woman in her late thirties stepped off the elevator and smiled when she saw Bertkowski. Dressed in surgical scrubs with a white smock draped over her shoulders, she walked over to us and gave him a hug. "Paul, what are you doing here?" She broke away. "Business?"

"Fraid so, Mara." He gestured to me. "Mara, this is Nick Kepler, a private investigator who's working a case with me. Nick, this is my sister, Mara Pasquarelli."

"So what can I do for you boys?"

"We're getting a little resistance to seeing Stephen Kilbourne's body. Is there a reason for that?"

Mara took a long breath and frowned. "Yes, there is. Some guy named Garcia said no civilians or CPD officers go near the body without his written permission."

"Anyone ask why an IA cop is laying down the law on a homicide case?" I asked.

"I don't know. I wasn't here. And since he doesn't really know the night shift very well, I doubt he knows I'm Paul's sister." She glanced at the attendant behind the desk. "Freddie, these gentlemen were never here. And you didn't see me lead them down to the vault. Got it?"

The attendant nodded, not looking up from his paperback.

Stephen Kilbourne didn't look like much in life. In death, he managed to keep that image. Wispy, with thinning blonde hair, he'd worn wire-rim glasses in the photos I snapped of him. The morgue had taken those since then.

Just as Bertkowski had told me, Kilbourne had four wounds: one in the forehead, one in the right shoulder, and two in the chest. We looked at the photo. Kilbourne's head

was intact, and he had only one chest wound, to the left and above his heart. The wounds we saw now were through the heart and below it, to the right.

"Do you know if they recovered any .357 slugs from Mr. Kilbourne?" asked Bertkowski.

Mara looked at her clipboard. "The preliminary report says all the bullets came from a 9mm weapon. No other slugs were recovered." She handed it to Bertkowski.

"There was one other thing in the report."

Bertkowski ran his finger down the page, then stopped. "I see it. Ketchup."

"It needed to be red and sticky," I said, "or it wouldn't look real."

"And the hamburger?"

"Look at the wound in the photo."

Bertkowski handed the clipboard back to the Mara. "First thing tomorrow," he said to me, "you call Sarah Kilbourne. Tell her you still have that photo, and that Frank's still working the case."

"I thought you were working the case."

"I am. She doesn't need to know that."

I called my client the next morning. After some static, I told her I had evidence tying her to her husband's murder and that we needed to meet in person. She agreed to meet at Jerry's out in North Olmsted.

I'd spent the night at Bertkowski's apartment, sleeping on the couch. It wasn't much, just two rooms and a john. Bertkowski liked bachelor living and hated housework from what I could tell. A week's worth of dishes sat in his sink.

He came out of his bedroom at around 9 that morning, after I'd called Mrs. Kilbourne. His hair looked like a rat's nest, and his robe had seen better days. "Call her?"

"Yeah. We meet at noon."

"You have any pals at the phone company?"

"A couple. Why?"

"I can't get phone logs as a cop. Not without a court order."

"So get one."

"Can't. Garcia's working this case. Even if I go to Lieutenant Carter, I'm not going to be able to shake him off for too long. We need to do this off the record."

I rubbed my temples. Only the bruise on the back of my head hurt now, but the couch had done nothing for my neck. "Mrs. Kilbourne's records?"

"You got it. And those of anyone she talked to in the last forty-eight hours." He fished in his robe pocket and came up with a couple of twenties. "Call a cab. Try to get those phone logs pulled before you go out to North Olmsted. And for God's sakes, don't go near your apartment."

"Where are you going?"

"To check the results of the last lieutenant's exams."

Getting the phone records took some sweet-talking to Sandy. Sports tickets were out this time of year, since Cleveland had no major league teams worth watching in mid-winter. Dinner reservations at One Walnut, the current home of the in crowd locally, did nothing to persuade her. In the end, I agreed to get her tickets to *The Vagina Monologues*. To seal the deal, I had to agree to take her if her husband refused to go. The sacrifices I make sometimes.

I had the phone logs faxed to my office, where I managed to sneak in from the rear of the building. The calls dated back to the start of the billing cycle, but I was only interested in the last page or so. I recognized my number as an incoming call. I had called Sarah Kilbourne to arrange the meeting with her Monday night, the night she had asked me to kill her husband.

My numbers, both as outgoing and incoming calls, went back to the previous Thursday, when I'd been hired to tail Kilbourne. Most of the recurring numbers I was able to verify via Criss-Cross directory. One number, however, appeared several times. I recognized the area code and prefix as a mobile phone number, not listed in Criss-Cross. I dialed *67, then the number.

The phone rang four times, the owner probably not answering ID-blocked calls. I got voice mail. "Hello, you've reached the phone of Victor Garcia. Please leave your name, number..."

I hung up and called Bertkowski.

Sarah Kilbourne jumped in her seat as I approached from behind. "How did you get in here?"

I sat down in the booth with her. "I know the owner. He let me in through the back."

She shook her head and downed a generous amount of beer. "Why meet me here?"

"Evens the playing field. We need to talk." I put the photo on the table. "See that?"

She looked down at the Polaroid of Stephen Kilbourne. "Yes. You want to give me proof. Is this it?"

"Did you see the body, Mrs. Kilbourne? You went to the morgue to identify the body, didn't you?"

She nodded, but said nothing.

"Does this look like what you saw at the morgue? Where's the wound over his heart? How about the one in his forehead?"

"What do you want?"

"I want to know why you've been talking to Victor Garcia since last Friday."

"I don't know who he..."

"Used his cell phone to call. Did you know that? Of course, cell phones aren't listed." I flagged a waitress. "Hey, Audrey. Have Paulie bring me out some Thermal Wings, will you? And can I get a Killian's draft? And a refill for my friend here."

"Sure thing," said the waitress as she headed back to the kitchen.

"How do you know Victor Garcia?" I said, turning back to her, my voice low.

"I gave you the money up front," she whispered. "Is it my fault you got caught?"

"I'm about to be arrested. Someone whacked me over the head before I could leave. I want to know if it was this Garcia guy. How do you know him?"

She looked down at her hands, wringing them. "A friend of Stephen's, from the gun club."

"Gun club?"

"Stephen and Victor belong to the same gun club. So do I."

"Do you know what he does for a living?"

"He's a cop of some sort."

"Internal Affairs. So why have you been talking to him since last Thursday? And why did he call you right after I took that blow to the head?"

Her nervousness vanished, replaced with a cold stare. "Just as soon as you tell me why you went to that Homicide cop right after I asked you to kill Stephen."

"You paid me to commit aggravated murder. Last I checked, that was grounds for me to lose my license. You understand, don't you?"

"No, I don't, but then it was Victor's idea to make the offer."

"Victor? Why?"

"Because he said he could make sure I was never implicated, that we could put the blame on you, even if you didn't do it."

"Uh-huh. And how long do you think it'll be before Homicide pulls your phone records? So who hit me? Garcia?"

"I don't see why I should tell you anything. The way Victor and I have this set up, you'll never get out from under it." She got up just as Audrey returned with two beers.

"Enjoy your lunch, Mr. Kepler. It might be your last as a free man."

Just then, someone set a plate of hot wings in front of me. I looked up at the server. "Thanks, Paulie."

"Anytime, Nick," said Bertkowski.

Sarah Kilbourne was already on her way out. As soon as she slammed the front door, Bertkowski sat down.

"Well?" he said, helping himself to a hot wing.

I reached into my coat and pulled out the tape recorder. "That's the second time you and I have worked together with a wire." I played back my conversation with Sarah Kilbourne. "Is that enough to file charges?"

"Against her or Garcia?"

"Both. What did you find out about the exams?"

"Windsor ranked first this last time out. Lieutenant Carter has all but anointed him heir-apparent to Homicide when he retires." He polished off his beer. "Garcia's a close second."

I sipped my beer and looked at the clock. "What now?"

He tapped the tape recorder. "I gotta take you in. It's the only way to do this."

"Can I finish my lunch?"

"Of course."