

No Consent, Excerpt
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Chapter 1

May 18, Tuesday morning

The back door of the central jail opened, and Nate Conner tasted freedom for the first time in nine months. He turned to the guard and grinned. “Adiós.” He resisted the urge to add an expletive under his breath and bolted into the San Diego sunshine. The warm salty air felt better than any drug, and he was almost giddy when he reached the sidewalk.

The sight of a familiar red Jeep crushed his mood. Seth Atkins stepped out, blocking his way. “Get in, Conner. We have unfinished business.” With a body like a steel cable and a pug-dog face, Seth was intimidating.

Conner swallowed hard. “I’m done with you and your scams.” He spun to walk away, but a big man blocked his path. Seth’s sidekick and enforcer. Heart pounding, Conner turned back. “What do you want?”

“You gave me up and screwed me over for nearly two grand.” The ugly man’s mouth tried to smile. “First, I want to hurt you. Then you’re gonna earn the money you owe.”

Fear squeezed Conner’s already queasy stomach. Seth had also been convicted of the theft charge, but he’d somehow gotten out early. Conner tried to reason with him. “I never gave your name to the cops. Ever. I swear.”

“But you told the snitch. That was just as stupid!”

Conner was mad at himself too. How could he have known the sleazy guy who reeked of booze was an informant? Sitting in that holding pen surrounded by thugs, pimps, and drug addicts had been a very bad moment. The detainee, a guy his age named Troy, had been mysteriously released the next day, then reappeared in court six weeks later to testify against him.

“It’s not my fault!” Conner shouted. Fear made him sound panicked, and he hated himself.

“Shut your trap and get in the Jeep!” Seth lunged toward him.

Conner felt the muscle guy moving in too. *Take the beating like a man or run?* Conner bolted into the street, nearly getting hit by an SUV. The old guy braked, honked, and swore at him. Conner paused in the center of the busy street just long enough to avoid getting slammed by another vehicle, then sprinted to the sidewalk on the other side.

Instinctively, he ran west toward the freeway. He rounded the corner and heard a familiar voice call out, “Hey, Nater!”

Nicole! Relief washed over him as he turned toward the sweet sound. His older sister, in her funky van, was keeping pace with him, holding up traffic. *God, he loved her.* Conner climbed in. “Boy, am I glad to see you. Now gas it and go.”

Her green eyes flashed with anger, but she pressed the accelerator. A moment later, she reached over and punched his arm—a surprising blow from a skinny ginger.

“What was that for?” Conner resisted the urge to rub the sore spot.

“For committing theft. For not coming to me if you were that broke and desperate.” Nicole had visited him in jail, but apparently she’d been saving that shot in the arm.

“You already know how sorry I am.” Conner waited for her to look at him. “Thank you for picking me up. I love you.” A lump filled his throat. His younger sisters had each come to see him once, but Nicole was like a mother and had shown up faithfully. He was lucky to have a supportive family—and ashamed of what he’d put them through.

“Sorry I was late,” Nicole said. “But don’t think I’ll ever go soft on you just because you’re blond and baby-faced.” His sisters all had shades of red hair and their mother’s delicate features, but he looked like their dad.

Nicole took the eastbound freeway onramp. Conner assumed they were headed to her place in Lakeside, a five-acre property called Nico’s Parrot Rescue, where she took in abandoned birds and grew her own vegetables.

“What did Seth want?” Nicole asked, sounding worried.

“To give me a beatdown, then pressure me to pay back the money he thinks I owe him.” Conner had known the shopping cart full of expensive tools was stolen when Seth asked him to return them to Lowe’s—despite Seth’s lame story about where he got them. But at the time, Conner had been jobless, broke, and desperate. Seth had promised him half the

money, and the whole thing seemed harmless. Sort of. But the scheme had fallen apart when the store issued a credit instead of cash.

“The jackass.” Nico’s grip on the wheel tightened. “You need to report Seth to the police.”

“Are you kidding?” Conner slumped in his seat. “That’s never gonna be an option for me. Once you have a record, the police consider you a criminal and don’t care what happens to you.”

After a long moment, Nicole patted his sore arm. “You’ll be safe if you stay with me. I could use some help with the parrots.”

He cringed. Cleaning up bird poop again. Right back where he’d started. But at least he had a place to stay. “I appreciate what you do for me.”

His sister was quiet for a few minutes, which was totally unlike her. “What’s wrong?” he finally asked. “Besides me?”

She glanced at him with watery eyes. “Kaylee’s missing. No one has seen her in months.”

Oh no. Their baby sister had left home with a boyfriend at age fifteen, then circled in and out of their lives—and in and out of trouble—for years. “You called everyone?”

Nicole nodded, her face grim. “Friends, hospitals, jails, ex-boyfriends. No one has even gotten a text.”

“I’ll look around. I know some of her old hangouts.”

“Thanks, Nater. And you can stay with me as long as you need to.”

“I appreciate that.”

But Nicole’s place was only a temporary solution. She lived too far out in the sticks to be convenient for him to drive back and forth. And he had a lot to do—check in with his probation officer, find a job, and restart his life. Plus look for Kaylee.

He also had a burning—and admittedly stupid—need to get even with Troy the Tattletale *and* the bastard ADA, Ramsden, who’d demanded more jail time when Conner refused to testify against Seth. A waste of loyalty that had been. They’d convicted Seth anyway, and now Conner would be looking over his shoulder for the rest of his life—all for a lousy thousand bucks he’d never gotten his hands on.

Conner had a wild thought. *What if he could fix this?*

He suspected the informant had been planted, and if he could prove it, he might get his and Seth's convictions overturned. But how? Who could he trust to help him?

Chapter 2

That same morning

Her office door banged open, and Deputy District Attorney T. Clara Hitchens looked up. A balding young man with a goatee burst in.

“Where have you been?” she shouted, as she stood. “We’re due in court in twenty minutes!”

Troy Burton smirked and sat down. “So I’m a little early then.”

Jerk! “I set aside two hours yesterday to prepare you for this trial and you didn’t show. Now you waltz in here late, with an attitude.”

“You don’t need to *prepare* me,” he said through bad teeth. “This ain’t my first rodeo. And you need my testimony, so don’t get huffy.”

True. Her case was weak without his testimony. She knew Faber had robbed the 7-Eleven store, but she couldn’t prove it. Two months ago, she’d told her supervisor, Martin Ramsden, that she couldn’t win and they should drop the case. A couple days later, they’d caught a break when the defendant admitted the crime to his cellmate, Troy Burton. She didn’t like using snitches to prove cases, but without Burton’s testimony, Faber would walk.

Hitch sat back down, hesitant to wrinkle her black HUGO BOSS wool skirt and cream silk blouse. Along with her red high heels, the ensemble was her lucky outfit that she wore the first day of each trial. She wondered if she was getting too old to wear stilettos, but they made her feel tall. She liked being able to look other attorneys directly in the eyes.

Her hearing was scheduled for nine o’clock, and it was already a quarter till. Ignoring Burton for the moment, she contacted the bailiff in Department 32 and asked him to call

her when they were ready to start. She knew it could be as late as ten or eleven before the judge took the bench, which would give her a little more time with the witness. It was only a five-minute walk to the San Diego Superior Court, so if they left as soon as the bailiff called, no one would be kept waiting.

She took a micro-recorder out of her purse and set it on her desk. It was one of the few pieces of technology she'd mastered, mostly because it had been around as long as she had. A few months earlier, on her forty-fifth birthday, she'd bought a smart phone, but it was so loaded with options and icons that she felt intimidated by it. Consequently, she didn't use it for anything except phone calls.

Hitch pushed the red button on the device. "This is a recording of a pre-trial prep session with witness Troy Benjamin Burton in the case of the State versus John Faber." She looked up at her witness. "You understand that I'm recording this session?"

"Sure. Why not?"

"There are a couple of things you need to keep in mind when you testify." Hitch had given this speech so many times she did it without thinking. "First, when you're on the stand, you must tell the truth, but only answer the questions you're asked. Do not volunteer any extra information. Do you understand?"

Troy nodded.

"You'll need to answer verbally. Otherwise, the court reporter won't be able to record your responses, and it will annoy the judge if they have to keep reminding you. That's why we're practicing."

"Yeah, that's the reason." He rolled his eyes.

"What do you mean by that?"

"Just tell me what you want me to say, and I'll say it."

Good grief! "I want you to tell the truth."

"Right."

Hitch raised her voice again. "You're starting to annoy *me*, and I don't think you want to do that. Let's get started." She paused. "Do you know the defendant, John Faber?"

"I shared a cell with him."

“That was a yes-or-no question. Just answer what I ask. If I want more, I’ll let you know. That will be especially crucial when the defense attorney questions you. The more you say, the more they can trip you up or make you sound not credible.”

“I’ll be convincing, don’t you worry.”

“I am worried. We’ve been here ten minutes already, and you still aren’t getting it. Another thing. Don’t answer the defense questions too quickly. Pause for just a second or two before you answer to give me time to object if I need to.”

“Look, lady, I know how it’s done. You’ll get the information you need to hang this guy.”

“You’re a cocky little jerk, aren’t you?”

“And you’re an uptight pain in the butt.”

Hitch started to respond but thought better of it. They were too short on time. She took a breath and started over. “Do you know the defendant, John Faber?”

“We’ve met.”

“Where did you meet?”

“In county jail.”

“When?”

“Two months ago. They put me in Faber’s cell to get him to confess.”

“What?” *He’d been planted?*

“Oh, that’s right. I’m only supposed to answer the question. Two months ago.”

“Who put you in the cell to get Faber to confess?”

“Never mind.”

“Why didn’t you say anything about that in your first statement?” Hitch wondered what he was angling for.

“I knew I wasn’t supposed to.”

“And now you’re saying someone told you to try to get a confession from Faber?”

“Yeah. They offered me a get-out-of-jail free card if I got him to talk.”

“Who made you that offer?”

“I don’t know his name. He said he was with the DA’s office and had the authority to get me a deal. All I had to do was get the guy to confess. So I did.”

“And your charges were dropped?”

“Yeah, for lack of evidence.” The witness gave a sly smile. “Imagine that.”

“You do understand that if you don’t testify, they can re-file them.”

“Oh, I’ll testify. And I’ll say all the right stuff. Don’t worry. I’m just yanking your chain because you guys are all a bunch of criminals too, yet you act like you’re better than the rest of us.”

Hitch’s pulse ticked up a notch. She couldn’t use his testimony if he’d been planted to obtain information from someone who already had an attorney. It violated the defendant’s Sixth Amendment rights. “You can’t lie in court about why you were in Faber’s jail cell.”

“Sure I can.”

“No. You cannot. Not on one of my cases. I can’t put you on the stand knowing you’re going to perjure yourself. I could be disbarred.”

“Then I want a new attorney.”

Oh boy. “I’m not your attorney. I work for the State of California. You are my witness, not my client.”

“Whatever.” Burton stood. “Where’s the toilet?”

“It’s down the hall to your right. And please don’t dawdle. The bailiff could call us at any time.”

Burton walked out.

Hitch paced her office, not knowing what to do with the information. Perhaps she could talk with someone before she went to court. The problem was who to trust. She considered telling Eric Hallaway, the head investigator for her department, but he was a gung-ho ex-cop who she suspected of over-reaching to obtain the evidence he needed for trial. He could even be the one who’d set this all up. She didn’t really know any of the other DDAs in the office that well. She avoided socializing with people at work because she hated the drama. As a result, she didn’t have any coworker friends she could confide in.

Hitch rewound the tape to listen to what Burton had said. When she heard herself say, “*You’re a cocky little jerk, aren’t you?*” she thought she might need to work on her people skills. But she was frustrated with these two-bit criminals getting away with so many crimes. The only thing that bothered her more was corruption in the justice system. She believed in the U.S. Constitution and in the system. She knew it had flaws, but when everyone used it correctly, it worked—most of the time. Now she faced the very thing she

detested. She hoped there was only one loose cannon in the department, or better yet, that Burton was grandstanding.

When she heard a knock, Hitch stopped the recording. "Come in."

Victoria Wu was one of the newer attorneys in the office and one of the few Hitch had made time for. Victoria was young, brilliant, and a hard worker who kept her personal life out of the office. "I'm sorry to bother you, Hitch, but I have a conflict on a case this morning, and I need someone to cover it. Are you, by any chance, available?"

"Sorry. I have a trial in Department 32 this morning. I wish I could help."

"That's okay. I'll find someone." Victoria turned to leave.

"Wait, I'd like to—" Hitch stopped midsentence. She'd considered bouncing her dilemma off Victoria, but the attorney was too inexperienced. "Never mind. It's not important."

As soon as Victoria left, Hitch checked her watch. The bailiff could call any moment. She thought about seeking advice from her supervisor but immediately dismissed the idea. Ramsden was a busy man who would tell her to just win the case. Her only options were to go forward with the trial and let Burton perjure himself, or to proceed without her star witness and hope to convince the jury with the slim circumstantial evidence she possessed. She could try again to get the defendant to plead, but his attorney had been very adamant that Faber wasn't inclined. Even so, Hitch didn't feel right using the illegally obtained confession as leverage for a plea bargain.

She checked the time again. Burton had been gone nearly seven minutes. She wondered if he'd skipped out on her, and she felt a flash of relief. That would save her from having to make a decision, at least for now. And she had another trial starting Friday that was far more important.

