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MURDER ONE

A Novel

ROBERT DUGONI

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To James Fick,
an excellent attorney,
a better brother-in-law,
and a great friend.

I am grateful for all that you
have done to support me.
Peace and blessings.

The credit belongs to the man who is actually in the arena . . .
if he fails, at least he fails while daring greatly, so that his place
shall never be with those cold and timid souls who know nei-
ther victory nor defeat.

—THEODORE ROOSEVELT

MURDER ONE

ONE

FRIDAY, SEPTEMBER 2, 2011
UNITED STATES FEDERAL DISTRICT COURT
SEATTLE, WASHINGTON

She stood resolute, head held high, refusing to so much as flinch. After a decade as an assistant United States attorney, Rebecca Han had developed thick skin, but she would have needed the hide of an elephant to absorb the flogging Judge Myron Kozlowski continued to administer from the bench.

“Assuming there had been probable cause to establish that Mr. Vasiliev trafficked in drugs—and I am not convinced there was—that does not justify a search of Mr. Vasiliev’s car dealership.”

“Your Honor—”

Kozlowski’s hand shot from the sleeve of his black robe, one bony finger pointing like the Grim Reaper. “Do not interrupt me, counsel. I’ll let you know when I’m finished.” Each word sounded as if it were scratching the back of his throat raw. “By the government’s theory, a legitimate business may be searched any time the owner of that business is suspected of engaging in drug trafficking *anywhere*. This is a dangerous assumption that goes well beyond any tolerable limits.”

Han gripped the edge of the podium, holding on and holding back.

Kozlowski looked past her to the media-filled gallery of the modern courtroom. “I am fully aware of the publicity this matter has generated and its significance to certain members of the public. And I am fully aware of what a case such as this could potentially mean to an ambitious young lawyer.”

Han pinched her lips, jaw clenched.

“But a United States attorney must be above the sway of the media and of self-aggrandizing, especially in situations such as this.”

This time, Han did not attempt to respond. What was there to say? Kozlowski wasn’t interested in argument; he was interested in another piece of her flesh.

“Overbroad warrants that authorize the search of every square inch of a defendant’s place of business are the type of general searches specifically prohibited by the Fourth Amendment and abhorred by the colonists. That this warrant was in part based upon speculation by Drug Enforcement agents that Mr. Vasiliev associated with members of organized crime—specifically Russian mafia—is equally reprehensible and a generalization no less offensive to the Russian community than it has been to the Italian and Asian communities.”

Kozlowski massaged his brow with his thumb and middle finger, leaving his eyebrows like tufts of untended lawn. His face resembled a malnourished midwestern scarecrow, skin stretched over sharp features, wrinkled at the neck and tucked beneath the white collar protruding above his robe. Sunken eye sockets encapsulated stark white orbs. He would have frightened even the most hardened of trick-o’-treaters.

“You’ve really given me no choice in this matter. As far as I am concerned, the U.S. attorney’s office has no one to blame but itself. With a little more diligence, these problems could have been avoided.” He shuffled the papers and scratched a pen across a page as he spoke. “I am granting the defendant’s motion to suppress.”

At Kozlowski’s pronouncement, Filyp Vasiliev sat up in his chair at the counsel table, grinning as he ran a hand over his neatly shaved head. The ruling would prohibit the government from introducing at trial much of the evidence the DEA had gathered during a raid of Vasiliev’s used-car dealership in Renton, Washington. Without the heroin and the incriminating statements, the government had no case. And everyone in the courtroom knew it.

Kozlowski rapped his gavel and retreated to his chambers before his bailiff had finished commanding the room to rise.

Han seethed, watching Vasiliev pick an imaginary piece of lint from the lapel of a shimmering pin-striped suit, rubbing his

fingertips as if brushing aside the criminal charges. Standing, he shook hands with his attorney.

“I told you,” he said, accent thick. “No worries.”

He patted the man’s shoulder and then pushed through the waist-high wooden gate. Han watched as he gained an entourage of media, strolling down the aisle proclaiming his vindication. Just before the alcove leading to the large wooden doors, Vasiliev paused, though not to address a question or offer further comment. He scanned the spectators, finding his target. His nod and grin were nearly imperceptible, but his message delivered loud and clear.

TWO

SATURDAY, SEPTEMBER 3, 2011
THE RAINIER CLUB
SEATTLE, WASHINGTON

David Sloane just wanted to leave. Attired in a tuxedo, his pocketbook a thousand dollars lighter and his obligation complete, Sloane wove his way across the ballroom floor shaking hands and offering friendly greetings, advising all that he'd be "right back."

He wouldn't be.

Sloane's goal remained the ornately carved wooden doorway through which he intended to slip out and disappear before the band started to play and every well-meaning person in the room sought to find him a dance partner for the evening.

His speech to promote legal aid services had been his first public event since Tina's death thirteen months earlier. He had initially declined the request, as he had every other professional and personal invitation, but the organization's president had made an impassioned plea, so Sloane relented. His speech seemed well received by the crowd, but people treated a man whose wife had been murdered differently, like something so fragile it might crack if handled too much; better left undisturbed. They pacified him, humored him, pitied him, but they were rarely honest.

Someone called his name. He turned and gave a perfunctory wave as he lengthened his stride and stepped from the room, making his escape. Turning back, he glimpsed the black blur out of the corner of his eye, too late to veer his course or otherwise avoid. They impacted full stride. Sloane, the larger of the two, delivered the more

severe blow, sending the other person sprawling. At the last moment he managed to grab a flailing arm and keep her upright while he fought to regain his own balance.

"I'm so sorry," he said. "Are you all right?"

The woman had her back to him, readjusting atop four-inch heels. Turning, she said, "I'm . . ." Her eyes widened. "David?"

Sloane recognized the face but could not immediately recall the name.

"It's Barclay," she said, rescuing him. "Barclay Reid."

Sloane had not seen Reid in nearly a year, since litigating a case against her client, Kendall Toys. Even if he had, he wasn't sure he would have recognized her. In court, Reid had worn bookish glasses, no visible makeup or jewelry, and understated conservative suits. Tonight, contacts revealed jade-green eyes, pearl earrings matched a necklace, and a simple black evening gown accentuated a petite, shapely figure. Her hair had grown to nearly shoulder-length, with a reddish tint Sloane did not recall.

"Barclay, of course. I'm sorry." During his mental gymnastics, Sloane had momentarily forgotten that he nearly tackled the poor woman, which only added to his abject embarrassment. "Are you okay? I didn't hurt you, did I?"

"I'm fine." Reid tugged at a spaghetti strap. "You're in a hurry."

Perhaps still off balance, Sloane uttered the truth. "I was trying to sneak out before the dancing."

"No wonder. Are you always this light on your feet?"

"I was trying to be discreet."

She smiled. "Remind me not to walk near you when you're trying to be obvious."

"Barclay?" Washington governor Hugh Chang approached with an entourage. Sloane had sat beside the man at the head table, but now the governor's gaze fixed on Reid. She offered her hand, but he stepped through it to embrace her. "It's good to see you," he said. "When are we going to have lunch?"

Reid turned to Sloane. "You've met our distinguished speaker?"

Chang had a politician's grip. "That was a terrific speech you gave tonight. I'd hire you as my writer, but I doubt I could afford you." Sloane smiled. The governor returned his attention to Reid. "When

you come to Olympia, we'll discuss that matter you wrote me about," he said before departing.

The band started up, a melody from the eighties—the decade of choice at events attended by people too young to have been a part of the sixties and too old to be hip to modern music.

"That's my cue," Sloane said.

"And mine."

"No dancing for you?" Sloane asked.

"Too many well-meaning friends."

"I know the feeling," he said. "Can I walk you out?"

They retrieved Reid's black shawl and handbag and Sloane slipped the shawl over Reid's shoulders. The act made him wonder why, on a Saturday night, at a black-tie function, Reid was alone. Given what he knew of her—the name partner of a large Seattle firm and the former president of the Washington Bar Association—it surprised him.

A warm summer breeze from an unusually humid September greeted them as they stepped outside. Reid rested a hand on Sloane's forearm as she navigated the steps, and they walked beneath the blue-gray awning of the gabled 120-year-old brick-and-mortar building that resembled an English country estate dropped in the middle of the city, now dwarfed by modern glass-and-steel skyscrapers.

"You look dashing in your tuxedo by the way. Very James Bond."

"You look nice also." He grimaced at the sound of it. This time Reid did not rescue him.

She stopped, hand on hip. "For the amount this dress cost me, I was hoping for something more than 'nice' . . . but I won't fish for compliments."

"I'm sorry; I think I'm still a bit off balance." He cleared his throat. "You look—"

"I'm teasing," she said.

At the sidewalk, a young man in a red vest reached for Reid's valet ticket, but she deferred to Sloane. "You go ahead."

"I think I've escaped. Besides, you have to let me show a little chivalry."

She handed the valet her ticket as a second young man approached and took Sloane's. The two jogged across the street to a parking garage.

“Crescent moon,” Reid said. At just after nine, the sky had faded but not darkened, revealing a hint of stars and the slice of moon. “New moon Wednesday night.”

Sloane had never heard the term. “You mean full moon?”

“Actually, it’s the opposite. It’s when the moon is in the same position as the sun and its illuminated half faces away from the earth. The part we see is dark. It’s called a new moon.”

“You’re an astronomer,” he said.

“Hardly.”

A blue BMW pulled forward, and the valet exited, leaving the headlights on and the engine running.

“That’s me.” Reid stepped from the curb.

“Well . . . I am sorry about . . .”

She smiled over her shoulder. “Forget it.”

The second attendant exited the parking garage and made a U-turn, tires squealing as he pulled Sloane’s 1964 Cadillac Coupe de Ville directly behind Reid’s car. The white behemoth, fins protruding from the rear, dwarfed the import. The Caddy had been a gift from Charles Jenkins that Sloane’s stepson, Jake, aptly named Moby, as in the great white whale Captain Ahab had hunted.

“I love it.” Reid left the valet holding her car door and walked down the street, running her hand over the hood. “Sixty-four or sixty-five?”

“Sixty-four. You know cars?”

“I know Cadillacs.” She spoke across the hood. “My father drove a Cadillac his whole life. He would have loved this.” Sloane joined her as she bent and touched the cherry-red interior restored to mint condition. “May I?”

“Be my guest.”

She sat behind the steering wheel, running her gaze and hands over the seats and dash. “Power locks and windows.” She closed her eyes and inhaled. “I used to stand on the seat with my arm around his shoulders. I can still remember the smell of his Aqua Velva. When we’d get close to home, I’d sit in his lap and he’d let me steer. I’m sure he kept his knee on the wheel, but he still made me feel like I was doing it by myself.”

In court Reid had been businesslike-efficient, but now she looked like a teenage girl whose date had just picked her up for the prom. Before he could stop himself Sloane said, "Do you want to drive it?"

She looked up, eyes eager. "Really?"

He handed the attendant a five-dollar bill. "Can you keep her car a while longer?"

Reid took the keys and waited until Sloane slid in the passenger side to adjust the bench seat forward. Settled, she gave him a girlish smile. "Where should we go?"

Sloane shrugged. "You're the driver."

"No requests?"

"Surprise me," Sloane said, though she already had.

Sunyat Chelyakov sat parked down the street from the blue-gray awning. He picked up the disposable cell phone and punched the speed dial, the only number on the phone. For ten dollars, he received eight hours of phone calls and 150 hours of standby service, after which he threw out the phone and chose another from the dozens at his disposal.

The woman stood admiring the white Cadillac.

"She just left the party, but she is not alone," he reported.

The woman slid behind the wheel as the man accompanying her walked around the car and slipped in the passenger door. Perhaps he'd had too much to drink?

"She is getting into a car with a man. She's driving."

"You have the license number?" his contact asked.

He provided the letters and numbers, shut off the phone, and pulled the sedan from the curb.

"Americans and their cars," he mused. It would not be difficult to follow such a large vehicle.

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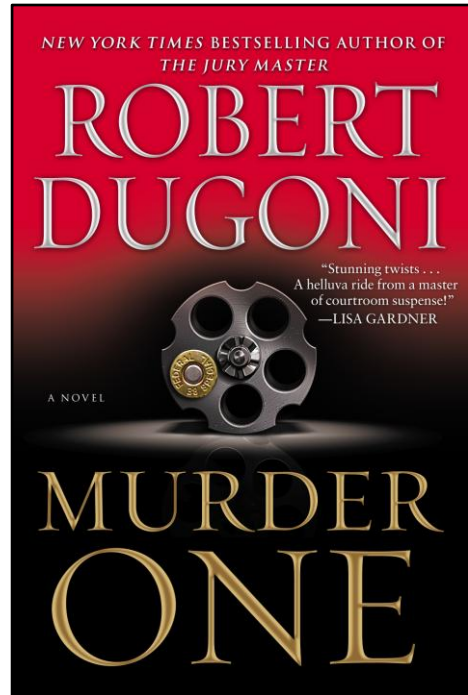
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