

CAN A KILLER EVER BE  
ABOVE THE LAW?

# John Grisham



A TIME FOR  
MERCY

From the author of *A Time to Kill* and *Sycamore Row*

# 1

The unhappy little home was out in the country, some six miles south of Clanton on an old county road that went nowhere in particular. The house could not be seen from the road and was accessed by a winding gravel drive that dipped and curved and at night caused approaching headlights to sweep through the front windows and doors as if to warn those waiting inside. The seclusion of the house added to the imminent horror.

It was long after midnight on an early Sunday when the headlights finally appeared. They washed through the house and cast ominous, silent shadows on the walls, then went away as the car dipped before its final approach. Those inside should have been asleep for hours, but sleep was not possible during these awful nights. On the sofa in the den, Josie took a deep breath, said a quick prayer, and eased to the window to watch the car. Was it weaving and lurching as usual, or was it under control? Was he drunk as always on these nights or could he have throttled back on the drinking? She wore a racy negligee to catch his attention and perhaps alter his mood from violence to romance. She had worn it before and he had once liked it.

The car stopped beside the house and she watched him get out. He staggered and stumbled, and she braced herself for what was to come. She went to the kitchen where the light was on and waited. Beside the door and partially hidden in a corner was an aluminum baseball bat that belonged to her son. She had placed it there an hour earlier for protection, just in case he went after her kids. She had prayed for the courage to use it but still had doubts. He fell against the kitchen door and then rattled the knob as if it were locked; it was not. He finally kicked it open and it slammed into the refrigerator.

Stuart was a sloppy, violent drunk. His pale Irish skin turned red,

his cheeks were crimson, and his eyes glowed with a whiskey-lit fire that she had seen too many times. At thirty-four, he was graying and balding and tried to cover it up with a bad comb-over, which after a night of bar-hopping left long strands of hair hanging below his ears. His face had no cuts or bruises, perhaps a good sign, perhaps not. He liked to fight in the honky-tonks, and after a rough night he usually licked his wounds and went straight to bed. But if there had been no fights he often came home looking for a brawl.

“The hell you doin’ up?” he snarled as he tried to close the door behind him.

As calmly as possible, Josie said, “Just waitin’ on you, dear. You okay?”

“I don’t need you to wait on me. What time is it, two in the mornin’?”

She smiled sweetly as if all was well. A week earlier, she had decided to go to bed and wait him out there. He came home late and went upstairs and threatened her children.

“About two,” she said softly. “Let’s go to bed.”

“What’re you wearin’ that thing for? You look like a real slut. Somebody been over here tonight?”

A common accusation these days. “Of course not,” she said. “I’m just ready for bed.”

“You’re a whore.”

“Come on, Stu. I’m sleepy. Let’s go to bed.”

“Who is he?” he growled as he fell back against the door.

“Who is who? There’s no one. I’ve been here all night with the kids.”

“You’re a lyin’ bitch, you know that?”

“I’m not lyin’, Stu. Let’s go to bed. It’s late.”

“I heard tonight that somebody saw John Albert’s truck out here coupla days ago.”

“And who is John Albert?”

“And who is John Albert, asks the little slut? You know damned well who John Albert is.” He moved away from the door and took steps toward her, unsteady steps, and he tried to brace himself with the counter. He pointed at her and said, “You’re a little whore and you got old boyfriends hangin’ around. I’ve warned you.”

“You’re my only boyfriend, Stuart, I’ve told you that a thousand times. Why can’t you believe me?”

“Because you’re a liar and I’ve caught you lyin’ before. Remember that credit card. You bitch.”

“Come on, Stu, that was last year and we got through it.”

He lunged and grabbed her wrist with his left hand and swung hard at her face. With an open hand he slapped her across the jaw, a loud popping sound that was sickening, flesh on flesh. She screamed in pain and shock. She had told herself to do anything but scream because her kids were upstairs behind a locked door, listening, hearing it all.

“Stop it, Stu!” she shrieked as she grabbed her face and tried to catch her breath. “No more hittin’! I promised you I’m leavin’ and I swear I will!”

He roared with laughter and said, “Oh really? And where you goin’ now, you little slut? Back to the camper in the woods? You gonna live in your car again?” He yanked her wrist, spun her around, threw a thick forearm around her neck, and growled into her ear. “You ain’t got no place to go, bitch, not even the trailer park where you was born.” He sprayed hot saliva and the rank odor of stale whiskey and beer into her ear.

She jerked and tried to free herself but he thrust her arm up almost to her shoulders as if trying mightily to snap a bone. She couldn’t help but scream again and she pitied her children as she did so. “You’re breakin’ my arm, Stu! Please stop!”

He lowered her arm an inch or two but pressed her tighter. He hissed into her ear, “Where you goin’? You got a roof over your head, food on the table, a room for those two rotten kids of yours, and you wanna talk about leavin’? I don’t think so.”

She stiffened and wiggled and tried to break free, but he was a powerful man with a crazy temper. “You’re breakin’ my arm, Stu. Please let go!”

Instead, he yanked hard again and she yelled. She kicked back with her bare heel and hit his shin, then spun around and with her left elbow caught him in the ribs. It stunned him for a second, did no damage, but allowed her to pry herself free, knocking over a kitchen chair. More noise to frighten her children.

He charged like a mad bull, grabbed her by the throat, pinned her to the wall, and dug his fingernails into the flesh of her neck. Josie couldn’t yell, couldn’t swallow or breathe, and the mad glow in his eyes told her this was their last fight. This was the moment he would finally kill her. She tried to kick, missed, and in a flash he threw a hard

right hook that landed square on her chin, knocking her out cold. She crumpled to the floor and landed on her back with her legs spread. Her negligee was open, her breasts exposed. He stood for a second or two and admired his handiwork.

“Bitch hit me first,” he mumbled, then stepped to the fridge where he found a can of beer. He popped the top, had a sip, wiped his mouth with the back of a hand, and waited to see if she might wake up or whether she was down for the night. She wasn’t moving so he stepped closer to make sure she was breathing.

He had been a street brawler all his life and knew the first rule: Nail ‘em on the chin and they’re out for good.

The house was quiet and still, but he knew the kids were upstairs, hiding and waiting.

DREW WAS TWO years older than his sister, Kiera, but puberty, like most normal changes in his life, was coming late. He was sixteen, small for his age and bothered by his lack of size, especially when standing next to his sister, who was struggling through another awkward growth surge. What the two didn’t know, yet, was that they had different fathers, and their physical development would never be in sync. Heredity aside, at that moment they were bound together as tightly as any two siblings while they listened in horror as their mother suffered another beating.

The violence was spiraling and the abuse was more frequent. They were begging Josie to leave and she was making promises, but the three of them knew there was no place to go. She assured them things would get better, that Stu was a good man when he wasn’t drinking, and she was determined to love him to better health.

No place to go. Their last “home” had been an old camper in the backyard of a distant relative who was embarrassed to have them on his property. All three knew they were surviving life with Stu only because he owned a real house, one with bricks and a tin roof. They were not hungry, though they still had painful memories of those days, and they were in school. Indeed, school was their sanctuary because he never came near the place. There were issues there—slow academic progress for Drew, too few friends for both of them, old clothes, the free-lunch lines—but at least at school they were away from Stu, and safe.

Even when sober, which, mercifully, was most of the time, he was an unpleasant ass who resented having to support the children. He had

none himself because he had never wanted them, and also because his two prior marriages ended not long after they began. He was a bully who thought his home was his castle. The kids were unwelcome guests, perhaps even trespassers, and therefore they should do all the dirty work. With plenty of free labor, he had an endless list of chores, most designed to disguise the fact that he himself was nothing more than a lazy slob. At the slightest infraction, he cursed the kids and threatened them. He bought food and beer for himself and insisted that Josie's meager paychecks cover "their" side of the table.

But the chores and food and intimidation were nothing compared to the violence.

JOSIE WAS BARELY breathing and not moving. He stood above her, looked at her breasts, and as always wished they were larger. Hell, even Kiera had a bigger rack. He smiled at this thought and decided to have a look. He walked through the small dark den and began to climb the stairs, making as much noise as possible to frighten them. Halfway up he called out in a high-pitched, drunken, almost playful voice, "Kiera, oh Kiera . . ."

In the darkness, she shuddered in fear and squeezed Drew's arm even tighter. Stu lumbered on, his steps landing heavy on the wooden stairs.

"Kiera, oh Kiera . . ."

He opened Drew's unlocked door first, then slammed it. He turned the knob to Kiera's and it was locked. "Ha, ha, Kiera, I know you're in there. Open the door." He fell against it with his shoulder.

They were sitting together at the end of her narrow bed, staring at the door. Jammed against it was a rusted metal shaft Drew had found in the barn, and with it he had rigged a doorstop that they prayed would hold. One end was wedged against the door, the other against the metal bed frame. When Stu began rattling the lock, Drew and Kiera, as rehearsed, leaned on the metal shaft to increase the pressure. They had practiced this scenario and were almost certain the door would hold. They had also planned an attack if the door came flying open. Kiera would grab an old tennis racket and Drew would yank a small tube of pepper spray out of his pocket and blast away. Josie had bought it for the kids, just in case. Stu might beat them again, but at least they would go down fighting.

He could easily kick in the door. He had done so a month earlier,

then raised hell when a new one cost him a hundred dollars. At first he insisted that Josie pay for it, then wanted money from the kids, then finally stopped bitching about it.

Kiera was rigid with fear and crying quietly, but she was also thinking that this was unusual. On the prior occasions when he had come to her room, no one else was at home. There had been no witnesses and he had threatened to kill her if she ever told. Stu had already silenced her mom. Did he plan to harm Drew too, and threaten him?

“Oh Kiera, oh Kiera,” he sang stupidly as he fell against the door again. His voice was a little softer, as if he might be giving up.

They pressed on the metal shaft and waited for an explosion, but he went silent. Then he retreated, his steps fading on the stairs. All was quiet.

And not a sound from their mother, which meant the end of the world. She was down there, either dead or unconscious because otherwise he would not have climbed the stairs, not without a nasty fight. Josie would claw his eyes out in his sleep if he harmed her children again.

SECONDS AND MINUTES dragged by. Kiera stopped crying, and both of them sat on the edge of the bed, waiting for something, a noise, a voice, a door being slammed. But, nothing.

Finally, Drew whispered, “We have to make a move.”

Kiera was petrified and couldn't respond.

He said, “I'll go check on Mom. You stay here with the door locked. Got it?”

“Don't go.”

“I have to go. Something happened to Mom, otherwise she'd be up here. I'm sure she's hurt. Stay put and keep the door locked.”

He moved the metal shaft and silently opened her door. He peeked down the stairs and saw nothing but darkness and the faint glow of a porch light. Kiera watched and closed the door behind him. He took the first step down as he clutched the can of pepper spray and thought how great it would be to blast that son of a bitch in the face with a cloud of poison, burn his eyes and maybe blind him. Slowly, one step at a time without making a sound. In the den he stopped dead still and listened. There was a distant sound from Stu's bedroom down the short hallway. Drew waited a moment longer and hoped that maybe Stu had put Josie to bed after slapping her around. The light was on in the kitchen. He

peeked around the door face and saw her bare feet lying still, then her legs. He dropped to his knees and scurried under the table to her side where he shook her arm roughly, but didn't speak. Any sound might attract him. He noticed her breasts but was too frightened to be embarrassed. He shook again, hissed, "Mom, Mom, wake up!" But there was no response. The left side of her face was red and swollen, and he was certain she wasn't breathing. He wiped his eyes and backed away, and crawled into the hallway. At the end of it Stu's bedroom door was open, a dim table light was on, and after he focused Drew could see a pair of boots hanging off the bed. Stu's snakeskin pointed-toes, his favorites. Drew stood and walked quickly to the bedroom, and there, sprawled across the bed with his arms thrown open wide above his head and still fully dressed, was Stuart Kofer, passed out again. As Drew glared at him with unbridled hatred, the man actually snored.

Drew ran up the stairs, and as Kiera opened the door, he cried, "She's dead, Kiera, Mom's dead. Stu's killed her. She's on the kitchen floor and she's dead."

Kiera recoiled and shrieked and grabbed her brother. Both were in tears as they went down the stairs and to the kitchen where they cradled their mother's head. Kiera was weeping and whispering, "Wake up, Mom! Please wake up!"

Drew delicately grabbed his mother's left wrist and tried to check her pulse, though he wasn't sure he was doing it properly. He felt nothing.

He said, "We gotta call 911."

"Where is he?" she asked, glancing around.

"In the bed, asleep. I think he passed out."

"I'm holding Mom. You go call."

Drew went to the den, turned on a light, picked up the phone, and dialed 911. After many rings the dispatcher finally said, "911. What's your emergency?"

"My mother has been killed by Stuart Kofer. She's dead."

"Son, who is this?"

"I'm Drew Gamble. My mother is Josie. She's dead."

"And where do you live?"

"Stuart Kofer's house, out on Bart Road. Fourteen-fourteen Bart Road. Please send someone to help us."

"I will, I will. They're on the way. And you say she's dead. How do you know she's dead?"

"'Cause she ain't breathing. 'Cause Stuart beat her again, same as always."

“Is Stuart Kofer in the house?”

“Yep, it’s his house and we just live here. He came in drunk again and beat my mother. He killed her. We heard him do it.”

“Where is he?”

“On his bed. Passed out. Please hurry.”

“You stay on the line, okay?”

“No. I’m checkin’ on my mom.”

He hung up and grabbed a quilt from the sofa. Kiera had Josie’s face cradled in her lap, gently rubbing her hair as she wept and kept saying, “Come on, Mom, please wake up. Please wake up. Don’t leave us, Mom.” Drew covered his mother with the quilt, then sat by her feet. He closed his eyes and pinched his nose and tried to pray. The house was still, silent; the only sounds were Kiera’s whimpering as she begged her mother. Minutes passed and Drew willed himself to stop crying and do something to protect them. Stuart might be asleep back there but he might wake up, too, and if he caught them downstairs he would fly into a rage and beat them.

He had done that before: get drunk, rage, threaten, slap, pass out, then wake up ready for another round of fun.

Then he snorted and made a drunken noise, and Drew was afraid he might wake himself from his drunkenness. Drew said, “Kiera, be quiet,” but she did not hear him. She was in a trance, pawing at her mother as tears dripped from her cheeks.

Slowly, Drew crawled away and left the kitchen. In the hall he crouched and tiptoed back to the bedroom where Stuart hadn’t moved. His boots still hung off the bed. His stocky body was spread across the covers. His mouth was open wide enough to catch flies. Drew stared at him with a hatred that almost blinded him. The brute had finally killed their mother, after months of trying, and he would certainly kill them next. And no one would bother Stuart for it because he had connections and knew important people, something he often bragged about. They were nothing but white trash, castaways from the trailer parks, but Stuart had clout because he owned land and carried a badge.

Drew took a step back and looked down the hall where he saw his mother lying on the floor and his sister holding her head and moaning in a low pained hum, completely detached, and he walked to a corner of the bedroom, to a small table on Stuart’s side of the bed where he kept his pistol and his thick black belt and holster and his badge in the shape of a star. He took the gun out of the holster and remembered how heavy it was. The pistol, a Glock nine-millimeter, was used by all deputies on

the force. It was against the rules for a civilian to handle it. Stu cared little for silly rules, and one day not long ago when he was sober and in a rare good mood he walked Drew to the back pasture and showed him how to handle and fire the weapon. Stu had been raised with guns; Drew had not, and Stu poked fun at the kid for his ignorance. He boasted of killing his first deer when he was eight years old.

Drew had fired the gun three times, badly missing an archery target, and was frightened by the kick and noise of the gun. Stu had laughed at him for his timidity, then fired six quick rounds into the bull's-eye.

Drew held the gun with his right hand and examined it. He knew it was loaded because Stu's guns were always at the ready. There was a cabinet in the closet packed with rifles and shotguns, all loaded.

In the distance Kiera was moaning and crying, and before him Stu was snoring, and soon the police would come barging in and they would eventually do as little as they had done before. Nothing. Nothing to protect Drew and Kiera, not even now with their mother lying dead on the kitchen floor. Stuart Kofer had killed her, and he would tell lies and the police would believe him. Then Drew and his sister would face an even darker future without their mother.

He left the room holding the Glock and slowly walked to the kitchen, where nothing had changed. He asked Kiera if their mother was breathing and she did not respond, did not interrupt her noises. He walked to the den and looked out the window into the darkness. If he had a father he didn't know him, and once again he asked himself where was the man of the family? Where was the leader, the wise one who gave advice and protection? He and Kiera had never known the security of two stable parents. They had met other fathers in foster care, and they had met youth court advocates who had tried to help, but they had never known the warm embrace of a man they could trust.

The responsibilities were left to him, the oldest. With their mother gone, he had no choice but to step up and become a man. He and he alone had to save them from a prolonged nightmare.

A noise startled him. There was a groan or a snort or some such noise from the bedroom and the box spring and mattress rattled and heaved, as if Stu was moving and coming back to life.

Drew and Kiera could not take any more. The moment had come, their only chance to survive was at hand, and Drew had to act. He returned to the bedroom and stared at Stu, still on his back and dead to the world, but oddly one boot was off and on the floor. Dead was what

he deserved. Drew slowly closed the door, as if to protect Kiera from any involvement. How easy would it be? Drew clasped the pistol with both hands. He held his breath and lowered the gun until the tip of the barrel was an inch from Stu's left temple.

He closed his eyes and pulled the trigger.