

AS THE CAN OPENS

BY

J. MICHAEL

BEHIND EVERY STORY IS ANOTHER MORE INTERESTING STORY

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**AS THE CAN OPENS,
WRIGGLING WORMS EMERGE,
FROM THE INNERMOST RECESSES OF
BURDENED MINDS,
IN WHICH THE DREAD OF EXPOSURE,
HAD FOR LONG PUT CLOSURE,
ON LIBERTY AND POSTURE,
AND THUS THE RELEASE OF THE
TORMENTORS,
COME ALONG WITH BOTH REGRETFUL
SORROWS
AND THE FREEDOM OF UNSADDLED SOULS.**

J. MICHAEL

PART 1: THE SEALED CAN

CHAPTER 1

The first thing that struck Carmen Acheson was the remarkable look on his light brown face. It was very calm, with not the slightest hint of fear. Although he was in handcuffs and leg irons and was only a few weeks away from being hanged, he looked like someone who had just left a Sunday morning mass and was still in a meditative mood.

Samuel Balee was led into the visitor's chamber at the Kirikiri Maximum security prison by a bored-looking prison guard. Carmen Acheson watched him being shepherded into the room and wondered what was going through his mind.

Now that all hope for a reprieve seemed to be lost, had he managed to blank out the horrific thought of how it would feel the moment the noose is placed around his neck? And the pain that would run through his body during that hopefully short number of minutes that the rope snuffs out the life from his jerking body? Or had he just managed to hide the distress through which he should normally be going through as all hope for a reprieve seemed to have come to an end?

The room was divided from end to end by a long table from which a see-through glass rose all the way to the ceiling. A cut-out section in the middle of the glass was big enough for those on both sides of it to hold hands and even to lean down and share a kiss but certainly not wide enough to squeeze through.

Carmen had been brought into the room a few minutes earlier and was carefully watching every little detail of the scene playing out before her, as Sam was ushered to the only other seat behind the glass divider.

He sat down heavily and turned to the guard who was clutching a voluminous sheaf of white reamed paper on which much seemed to have been typed.

The guard removed his handcuffs, handed the document to him and informed him that he had only about ten minutes for the meeting. He then gave him an affectionate pat on the back before leaving the room.

Sam leaned on his elbows with his closed fists pressed against both sides of his face and smiled wanly.

“Thanks for coming, Carmen. So, we lost?”

Carmen nodded and looked down dejectedly

“Don’t look so sad Carmen; I already heard the news from the friendly guards. We’ll meet in heaven one day.”

Carmen continued to look down and shook her head. “I just can’t believe the Supreme Court failed to take full account of the overwhelming evidence in favor of your innocence. An innocent man just cannot be hanged for a crime he did not commit. It’s just not fair.”

Sam reached out for her hands and covered them with his. “The world is so unfair. It’s been that way since its creation, and it will remain that way until the very end. You can’t change that Carmen, You just can’t. When exactly will...?”

His voice trailed off as he stared through her, at nothing in particular.

Carmen looked up at him. “It is fixed for 30 days from now and ...”

“I guess we have nowhere else to run to?” Sam asked without much hope in his voice.

“Actually, we have one last hope but, following the decision of the Supreme Court, the chances of success are somewhat slim.”

When Sam said nothing, Carmen continued. “The Lagos State government abolished the death penalty some years back and is not likely to carry out the execution, but one can’t be sure of what can happen next. The...”

“I’d rather be hanged than spend the rest of my life in jail,” Sam cut in. “Death and the chance to be in heaven would be much better than being in this hell hole.”

“I know Sam but as long as there’s hope, no matter how small, we can’t give up. I’ve been able to convince my organization to continue supporting your case until the very last minute.”

“What else can you do?” Sam asked without any hope in his voice.

“Three things that may help; the first is that the detective I hired, Bako, is still feverishly working to find any additional evidence that will show without any doubt that you didn’t commit the crime. Right now, he’s in Maku’s hometown trying to dig up as much as he can on the guy. He...”

“There’s no question that Donald Maku killed her,” Sam cut in bitterly. “For quite some time I tried to give him the benefit of the doubt and to convince myself that he could not have carried out such a heartless crime but I now firmly believe that he killed his wife and house guard either by himself or through hired thugs.

‘He has succeeded in putting the crime on me through the devilish scheme that I innocently allowed myself to be entrapped in.’

“We still cannot rule out the possibility that neither of you was involved.”

“Don’t kid yourself, Carmen, Maku must have killed her. He is powerful and can get away with this murder. I was just his poor Personal Assistant and a part-time teacher of his child.

‘I was already condemned by the press and public opinion even before the trial. There’s no way I can be pardoned by the Governor.’

“Well it’s worth a try,” Carmen said when Sam stopped talking. “I will on a parallel basis make sure that your case is given prominent attention in our monthly publication, HELPLESS, which should be out in about ten days.

‘Looks like you were able to put something down on paper?’

Sam pushed through the bulky document on his side of the table to Carmen.

“I hope your editors will find my story good enough to include in your publication. The guards and particularly Olu, who just left, have been very kind to me after I told them my story.

‘Although people think they’re crude illiterates, Olu has a university degree in social science and reads a lot of books. The economy is in a mess and this is the best job he could get after graduating and remaining jobless for over three years.’

“Is it that bad?”

“It’s worse than bad but, anyway, the moment I mentioned the possibility of my story getting published in your journal, Olu put a lot of pressure on me to write it before being hanged or jailed for life. ‘The system has been terribly unfair to you,’ he told me several times, ‘and the only way you can save your honor and that of your family is by telling the world what really happened. Some will believe you and some will not but your story when published will last forever and those who believe may end up being much more than those who don’t.’”

“This must have taken you quite some time to write,” Carmen said, impressed. “I can’t believe that you could find the time and have the heart to sit and write your life story, with the hangman’s noose dangling over your head.”

“That was the only thing that kept me going. You don’t ever want to be in my shoes, Carmen. The loneliness and trauma alone will kill you well before the hanging. I thank Olu for helping me stay alive till now by convincing me to write and giving me the means to do so.”

“Who typed it for you?”

“Olu brought me a computer and printed the document for me.”

“No question about it Sam, I shall get it published no matter which way this goes,” Carmen said as she leafed through the typed document. “As I told you, HELPLESS is a very popular and widely read journal. Although its price is low, we make a lot of money from the huge volume that is bought every month in Europe and other parts of the world.”

Sam appeared to momentarily forget about his problem. “Why do people care to buy it?”

“The attraction is that the stories that we publish are usually quite gripping and in some cases stranger than fiction. The Committee that decides which statements or stories to carry must believe strongly in the possibility of a

miscarriage in justice to accept to include any piece. A lot of people buy simply to support the work of our organization.”

“For each monthly sale,” Carmen continued, “we keep 30% of the money from the sales and share the rest amongst those whose stories are published.”

“Do you think mine will be found interesting enough to be published?”

“I think so. I can see from the first few paragraphs that you write very well. I’m sure that I will have no problem convincing them to accept your case”

“What I have in there, Carmen, is a comprehensive account of my life story up to the moment they informed me you were here to see me. You can add a postscript if I end up being hanged or jailed for life.”

“I pray that you end up not being killed or jailed but just in case, who should your own share of the proceeds go to after the journal is published and hopefully sells well?”

Sam appeared to think about the question for only a few seconds. “Your organization should keep it and use it to help innocent people that are being condemned all over the world for crimes they did not commit.”

“That’s really quite thoughtful of you but what about your parents and other family members. Won’t the funds be of help to them? It can sometimes run into thousands of pounds”

“My parents will never accept such funds. It’s a matter of culture. They would see it as compensation for letting me be killed or jailed even though there’s nothing they can do about that. No, your organization should keep it and help others.”

They remained quiet for a while and then Sam asked, “You mentioned three things that you believe may help. What’s the third one?”

“I shall make sure that my organization is very active in exposing the weakness of the prosecutor’s case and I will personally fight to take the plea to the Governor myself.”

Carmen was emotionally distraught but tried hard not to show the way she felt.

She had at the start of her career allowed her feelings to get the better of her and often joined condemned individuals in crying over their fate; particularly in cases where she felt strongly convinced that great injustice was being perpetrated against innocent individuals.

She had with the advice of her boss gradually learnt to be less emotionally involved in the cases she was handling.

Carmen tried as much as she could to put on an optimistic look as she fervently requested and encouraged him to hold out hope till the very last moment; citing several similar seemingly hopeless cases that she had handled and which concluded in happy endings. She was hopeful that sufficient evidence could still be obtained to make a strong appeal for pardon to the Governor.

They both tried to make small talk but it was clear that their hearts were not in it and they became silent for several minutes as Carmen continued to glance through the first few pages of Sam's document, without seeming to read any portion of it.

"Once again, thank you very much, Carmen," Sam said slowly as he heard the footsteps of the guard coming for him, "Just in case things don't work out I will still thank God for having people like you in this wicked world."

Sam slowly stood up as the guard reentered the room. "God bless you," Sam said calmly as he turned and walked out of the room, with the guard following closely behind.

As soon as Sam and the guard left, Carmen stood for a few seconds dejectedly staring into space and then turned and walked out of the room, clutching the document tightly by her side.

CHAPTER 2

As she returned to her small nondescript inexpensive hotel in Ikoyi, Carmen spent the whole time trying to dispel the feeling of hopelessness that engulfed her each time she tried to fathom the best way her organization could help.

She was convinced that Sam was innocent but pessimistic about the chances of his being saved from the gallows.

The hotel was misleadingly named Luxury Heights and Carmen usually laughed conspiratorially with the doorman each time she arrived and was greeted with ‘Welcome back to the Luxury Heights hotel, Madam.’

Alighting from her taxi, Carmen walked like a zombie past the surprised doorman who had raised his hat and was about to give the usual welcome. She went straight to the desk, collected her keys and rode the elevator to the sixth floor without as much as glancing at the other occupants of the lift. She walked to her room at the end of the corridor, opened her door and dejectedly walked straight to her bed after back heeling the door shut.

She took off all her clothes and laid flat on her back and with Sam’s document by her side, she let her mind wander back to how she had gotten herself into the sad sorry mess that she now found herself in.

Carmen’s Scottish parents, James and Emily Acheson, wanted the very best for their only child, Carmen. Both were doctors and both had gone to Cambridge.

It was their fondest hope that Carmen would follow in their footsteps and end up running their thriving Clinique in the heart of London. But Carmen had her own ideas and interest and ended up studying first sociology and subsequently International Relations at Manchester University.

Though her parents tried very hard to mask their disappointment they took consolation in the fact that Carmen was a bright student who graduated with honors.

It was a few months after obtaining her master's degree, that Carmen ran into Chris Dowel and began the career which would see her travelling to Nigeria and being confronted, by happenstance, with the troubling case of Sam.

She remembered the first encounter with Chris as if it had happened just the day before.

She had paid her parents a brief visit at their Clinique and subsequently stopped by a few buildings away, at the Quick Bite Special to grab a hamburger.

Her intention had been to spend a few quiet minutes in there to reflect a bit on her life, but she found the joint to be overflowing with the noonday crowd. It took a while for her to move down the long line to the counter and when she finally got the stuff and a bottle of diet coke she turned to leave, and that's when she locked eyes with Chris.

Carmen remembered how she felt on seeing him the first time; with the immediate thought that leapt to her head being that he was not bad looking at all.

And then she had taken a second longer look and concluded that he was quite handsome.

Everything about him seemed to fit neatly into place. His remarkably well-sculptured face sat neatly on a neck and shoulders that were neither too broad nor too small.

From where she stood, she could see, even though he was seated, that he was fairly tall. In a flash, she guessed that he was in his early thirties and hence, possibly, not too much older than her.

What she could not guess was whether he was engaged or married.

When he smiled and gestured to the empty seat in front of his table, Carmen was surprised to find herself heading in his direction, without the slightest hesitation.

“You rush in here to have a quick bite and spend a lifetime getting hold of the food,” he said as he gestured with his left hand for her to sit and swung his right hand to take in the crowded scene around them.

“How did you know that’s exactly what has happened to me?” she asked, placing her food on the table and sitting down. “I actually did come here for some quiet moments and this certainly was not what I expected to find.”

“I hope you’re referring to the crowd and not me,” Chris said and they both laughed.

From that moment on it was as if they had known each other for years and were the very best of friends. They got around to properly introducing themselves and talking about their lives.

Chris was the only boy and the youngest of the five children of a devout Roman Catholic couple that, according to Chris, had died in a serious car accident while returning home many years ago from an evening mass service.

He was quite young at the time and their death remained the most traumatic experience he had ever gone through. He was raised by his eldest sister who fortunately was married to a kind, middle class gentleman that raised him as if he was his own son.

Chris was indeed, at twenty-seven, just three years older than Carmen. He was working as a Work Program Officer for a London based charitable organization called Lawyers For the Needy (LFN); that he ended up assisting Carmen to get into as a field staff.

LFN’s focus was initially the United Kingdom alone but as massive donations rolled in from various sources to support its work, LFN extended the scope of its humanitarian work, which was to assist the needy and downtrodden to get adequate legal representation, to the developing countries of Asia and Africa.

Carmen had begun with the Asian desk and had undertaken three successful trips to Pakistan and Malaysia before the Nigerian assignment came along.

The assignment was to engage lawyers, with the assistance of a local law firm, to represent several individuals who had been thrown into jail for fighting the government over human rights issues.

The plight of the individuals had been brought to LFN's attention by a very important donor and hence priority was given to the case. Carmen was about to undertake a trip to Indonesia but had to be reassigned to the Nigerian task.

Soon after her chance meeting with Chris and commencement of work at LFN, she had fallen seriously in love with him and they had begun an on and off relationship, which at one-point Carmen felt was going nowhere.

Although she remained deeply in love with him, she was not sure that the reverse was the case and did not want to end up being jilted and abandoned. She, therefore, began to focus more on her job and to keep her options open as far as other men were concerned.

By the time she left for Nigeria the relationship with Chris had become so lukewarm that she did not bother to inform him of the exact date of her departure and he also did not seem to care enough to discuss it with her; even though he had had a hand in scheduling and approving the mission.

Carmen had arrived in Lagos and quickly settled down with the help of the CEO, Geoffrey Eleko, of a local protocol company that LFN's travel agency had contracted.

Geoffrey was well connected and on a first-name basis with a repertoire of who is who in the legal, political and socio-economic circles of Nigeria. With his help, Carmen had enlisted the services of a well-known, troublesome, legal expert who was ready to take on the battle of freeing human rights activists.

The battle was fought more outside than inside the court with Carmen giving interviews to the press on why her organization felt strongly enough to send her to the country and the lawyer filing several motions for their release from custody.

Geoffrey worked in the background to put her in direct contact with some of the ministers and senior officials of the government.

Ultimately it was luck from the fact that the British Prime Minister was scheduled to visit the country that saved the day. The government got concerned about the bad press and quietly arranged for the activists to be granted bail, with easily fulfilled conditions, at a hastily arranged Appeal court session.

Carmen had been in the country for three weeks. She was happy at the outcome of her trip and had felt good when her normally taciturn boss called to congratulate her.

The call came on a Friday evening and they agreed she would be returning to London over the weekend. She looked forward to leaving Lagos on Sunday and being back in London by Monday morning.

Following a long peaceful sleep, she went to breakfast in the morning and was cheerfully given the morning's newspaper. She put it away until she finished her breakfast and was almost leaving it on the breakfast table when the headline caught her eye; **'Ungrateful PA to die by hanging.'**

It was not so much the screaming headline of the newspaper that made her sit back to read the story. It was rather the sad and calm innocent-looking eyes as well as the resigned look on the face of the alleged culprit. Everything about the young man's demeanor oozed innocence and Carmen just could not stand up and leave.

She had sat back and read through the story of how the ungrateful Personal Assistant had killed his boss' wife and one of his house guards. He had, after allegedly killing them, made away with his boss' money and one of his cars, only to be arrested before he could reach and disappear in his hometown.

On returning to her hotel room, Carmen put away the newspaper and started arranging her clothes; but the image of the young man's face kept disrupting her thoughts until she finally gave up and picked up the paper again to properly read the entire story.

CHAPTER 3

It started as the usual type of crime stories that often appear in the daily newspapers.

But for the haunting look on Sam's eyes, which had struck a deep chord within her, she would not have bothered to spend a minute on the article. She would simply have skimmed through it and put the paper away, particularly since that was not the object of her mission. But as she read on, she became more and more interested to find out the basis on which the court had found him guilty and sentenced him to death.

The key elements she got out of the piece were that Sam, a one-time math teacher in a primary school in his village, had managed to find his way to Lagos. He had, through the help of a friend, been recruited by a well-to-do businessman to work as a salesman in his car dealership and as a math teacher to his 11-year-old daughter.

He worked very hard over the next year and was well-liked by the man and his wife as well as their adorable child. It was, therefore, a shock for his kindhearted boss to learn a few days after travelling abroad that Sam had taken off with one of his vehicles and the sixty thousand dollars, he had kept in his bedroom safe.

In addition to the shock of finding that his money was gone, he was devastated to learn that Sam had strangled his wife and killed his gateman during the robbery.

Sam had been stopped at a police checkpoint on his way to his hometown and arrested when the police found that the car papers were not in his name and doubted his story that the sixty thousand dollars he had in the car was a gift from his boss; who's phone number he gave to the police that tried and failed to reach him.

He was taken back to Lagos and, with the police in tow, returned to the house of his boss, where the police was shocked to find the wife of his boss dead as well as one of the gatemen of the house; who must have rushed in to help her while she was being strangled.

Sam had maintained his innocence.

He claimed that the car had been given to him as a gift by his boss, pointing out that it was the oldest of the six cars that the boss and his wife owned.

He also did not waver from his claim that the money found on him was also a gift from his boss towards the completion of the house he was building in his village.

He was charged to court, found guilty and condemned to death. His appeal to the Federal Court of appeal had failed and he was destined to be hanged unless he could get a reprieve at the Supreme Court.

Carmen remembered finally putting away the newspaper and trying to get the matter out of her mind but Sam's sad face kept floating before her until finally she stopped what she was doing and went back to re-reading the story.

Sam's lawyer, Ben Koshi, had been quoted as saying it was the greatest miscarriage of justice in the country's criminal case history.

“On both the money and the car it was a question of one poor man's word against that of a more powerful man. There's also no postmortem proof to support the prosecutor's case. This has been clearly a case of taking the feeling of Donald Maku that Sam killed his wife and gateman as the Gospel truth, which is against the tenet of elementary law.”

Carmen made up her mind to look further into the case and started by calling her protocol contact to find out how she could get to talk to Sam's lawyer, Koshi. She was told that he was a well-known Human Rights warrior who usually handled such cases for free.

She was put in touch with him and what he passionately told her made her decide to see what, if anything at all, she could do to help in redressing what the lawyer emphatically denounced as the forthcoming murder of a young man for a crime that had in no way been proven against him.

The lawyer urged Carmen to leverage the clout of her organization in seeking to draw awareness to the weak case of the Prosecutor, so as to influence

the outcome of the forthcoming Supreme Court judgement, which was scheduled to be held in a week's time.

Carmen promised to do her best, gave the matter some more thought and then telephoned her boss.

It was not a pleasant conversation. Her boss could not understand why she had to delay her return, spend some good money chasing a hopeless case and possibly end up portraying their organization as one that would go out of its way to fight for a convicted murderer.

But Carmen knew her boss was, beneath his contrived hard and tough exterior, a kindhearted man that was resolutely against the death penalty. She continued harping on the fact that the evidence against Sam was very thin and that a young man could be hanged for a crime he did not commit.

In the end, her boss reluctantly agreed for her to stay an additional week and to spend, if need be, a reasonable amount of money on the case, which he still considered to be a hopeless one.

She had met with Sam's lawyer the next day at her hotel. He was a tall lanky man with a pleasant demeanor who readily displayed intense passion each time he made a case for Sam's innocence.

Koshi reiterated his conviction that Sam was innocent and told her he could arrange for her to see and talk to him the next day so as to get a sense and feel of the type of man Sam really was. He offered to continue his defense of Sam at the Supreme Court if Carmen could meet the statutory and administrative costs which were not much but which he said he could not afford as he had thus far spent a lot representing Sam on a pro bono basis. Carmen agreed to foot the bill and they shook hands on the matter.

Carmen had spent the weekend reading Sam's case in several other newspapers, some of which gave more details of the couple that Sam had worked for and the shocked views of those who claimed to know how well the couple had treated Sam, only for him to repay them in such a dastardly manner.

Her meeting with Sam took place two days later. Koshi had managed to arrange it and had gone along with her to the KiriKiri prison to see him. She was

shocked by the terribly filthy state and rundown facilities of the prison and saddened by the thought that an innocent being could end up being locked up in such a hell hole for a crime he did not commit.

Carmen had found Sam to be attractive in the newspaper pictures, but she found in meeting him that he was much more handsome in person than in the pictures. He had a smile that reminded her of Chris and brightened up the dank reception room in which they were seated.

She wondered how a man who had just lost his case at the Appeal Court and was now facing the reality of being hanged in the near future, could have the temperament to put on such heartwarming smiles while they spoke. It also occurred to her that she was for a second time meeting a man who, like Chris, would end up being a memorable but brief interlude in her life.

“I just don’t know how to go about thanking you,” Sam had said softly. “I’ve spent weeks here wondering why this has to happen to me. I didn’t hurt anyone not to talk of killing someone who had been kinder to me than my own mother. It’s so unfair.”

“The world can be terribly unfair, Sam,” Carmen had replied, not knowing what to say to the handsome young man sitting before her.

With his lawyer looking on and nodding knowingly at several points, Sam had since her arrival about an hour back, narrated the defense she had read in the newspapers. Hearing directly from him had a more pronounced effect on her as she became more convinced by the minute that Sam was innocent.

“Sam, from all you’ve told me and from all I’ve read in the newspapers, you were very close to the family,” Carmen had finally interjected. “You, therefore, may know more about them than anyone else. Who do you think killed her and the guard?”

Sam had remained silent for a while before calmly responding. “I’ll tell you what I told the police when they asked me this same question. I told them the truth, which is what I shall repeat to you. I don’t know who killed Ann and Sunday. I have my suspicions, but I don’t want to voice them and put someone who may be innocent in the same situation that I find myself today.”

“Let’s pray and hope for the best Sam. My organization comes across cases like yours every day and in addition to helping with lawyer’s fees, we give wide coverage of such cases in our monthly publication, called HELPLESS. The journal helps a lot to sway public opinion and the courts.”

“Thank you very much, madam.”

“Call me Carmen Sam. We shall certainly do all we can to help. It’s never over until it’s over. The decisive day is only a few days away,” she remembered adding as she turned to Koshi for reassurance. “We do have some hope, don’t we?”

“Definitely,” Koshi had replied without hesitation. “The Supreme Court has some of the best legal minds that you can find anywhere in the world; not like some of the jokers in the lower courts.”

Carmen started feeling depressed by the time she left Sam and wondered why. She told herself that it had to be because of the sad drama that was playing out before her very eyes and which could have a tragic denouement that would stay with her for life.

But something deep within her was conveying a somewhat different message; that she had within the short time she had spent with Sam and his lawyer come to like Sam a lot and that she had to remain detached so as not to get emotionally traumatized if he got executed. She had found Sam to be a very witty and likeable fellow who had succeeded in making her laugh so much despite the terrible fate that awaited him.

The following days had seemed to drag on for ever as Carmen waited anxiously for the Supreme Court session to take place. A day before the session, Koshi had called to inform her that Sam had the flu and what looked like the onset of malaria but that he had cleared Sam’s authorization to represent him in his absence. Carmen had requested him to call her immediately after the court session as she would like to see Sam no matter the outcome.

The court session had taken place as planned and Koshi had called her immediately after it ended. But from the dejected tone of his voice, Carmen had known, even before he uttered the devastating words, that he had once again lost, and Sam’s fate was sealed.

Depressed, she had called her boss to inform him that the battle had been lost. He sounded busy but took the time to commiserate with her before wishing her a safe trip back.

An hour later he had called back and surprised her with the information that all was indeed not lost as he had checked with a friend and found that the Governor of the state had the power to pardon him if he considered it justified.

Carmen remained completely nude and flat on her back staring blankly at the ceiling as she recalled all that had transpired since she first set her eyes on the newspaper headline, and got drawn into reading the piece on Sam's alleged crime.

She stayed that way for about thirty minutes more before she picked up Sam's typewritten document and started to read.