

I stood at the defense table in a Waco, Texas courtroom, facing the bench. The judge hadn't come out yet. She always made us wait like it was part of the performance.

Beside me stood my co-counsel—white, pretty, and forgettable. I hired her because she looked like someone the jury could trust. I was too much. Too brown. Too big. Too Dallas. At least, that's how I felt looking across the courtroom at the two Baylor Law School prosecutors in conservative suits and polished contempt.

Jorge stood to our right. He was short, dark-skinned, eyes darting, lips pressed shut. He was a Honduran immigrant with legal status—a green card or permanent resident, I forget which. He only spoke Spanish. I'd tried enough cases to stop keeping track of translators. I didn't know this one, but he had that soft, firm cadence of someone who'd done it a hundred times.

This case was different. Jorge was innocent. I don't say that lightly. I've defended all kinds of clients. But he didn't do this. He didn't sexually abuse his eight-year-old daughter. His ex-wife was furious after losing a custody battle and a \$16,000 divorce settlement. She weaponized their daughter, who, until recently, had adored her father.

Still, we were here. And I knew if I lost, Jorge would rot and likely die in a concrete cell that reeked of piss and hopelessness somewhere in the forgotten corners of Texas.

Minutes earlier, we were in chambers. The judge, a hard, petite, Christian white woman, refused to allow the strongest piece of mitigating evidence. It would have given any reasonable juror doubt. But she offered a deal; she'd admit it only if I let in another piece that would guarantee a conviction. She conjured some legal fiction that if I presented my mitigating evidence, it would "open the door" to allow some hearsay evidence to be admitted. She knew what she was doing. So did I.

She didn't like me. I'd gotten a Not Guilty on a high-profile case in her courtroom just a month earlier. A bailiff told me they were all rooting for me to lose. I had walked in from Dallas and made noise. The courtroom was still echoing from it.

Now we stood in silence, waiting.

Jorge looked at me. I nodded.

The translator leaned in, whispered something, and Jorge nodded back. I could see how scared he was, but he stood tall anyway.

The door from the chambers whipped open. The judge stepped up to the bench.

"You may be seated." The show was about to begin.