

# The Case of Kindall, K.

Renee Nielsen

Sample: Chapter 1

The Case of Kindall, K. (Kindall K series, Book 1)

ISBN-13: 978 0 473 47876 6

Copyright © Renee Nielsen 2019

All rights reserved.

This sample chapter is produced and distributed by the publisher.

Second edition.

First published 2019.

Published in New Zealand by Callaei Books (independent publisher)

[callaeibooks.com](http://callaeibooks.com)



Callaei Books

# Letter Addressed to Takahashi, Y.

Date: 4<sup>th</sup> July, Thirteenth Year of Taularh's Reign

Greetings, Takahashi.

As I have stated in my previous letter, it has been brought to my attention that the defendant at a recent trial may not have had a fair trial. The defendant's youth advocate is at present working to submit an appeal. This may take some time.

Please find below a summary of Kyle Kindall's trial. You are by no means obliged to accept this position. Before submitting your response, please read the trial information carefully and take adequate time to consider your potential role and what it would entail. A formal title of the position will be decided should you choose to accept.

If you have any queries, please send them direct to my email or call me.

Kind regards,

Harrison, Timothy

Judge of Arkala Kingdom Youth Court

## THE CASE OF KINDALL, K.

*Harrison, T.*

Case #2310      Offense: *Manslaughter*

Defendant Person/s: *Kindall, Kyle (17)*

Youth Advocate: *Smith, Charlie*

Victim/s: *Wilson, Daniel (17) – deceased*

Date of Trial: *2<sup>nd</sup> July, Thirteenth Year of Taularh's Reign*

Notes:

*Location: Village Park, Two Lakes.*

*Incident Reported: (cell phone) 7.08pm, 29<sup>th</sup> June. Witness reported observing Kindall in a state of insanity. Peace Forces arrested Kindall on site (held at A'o Peace Force Station until trial).*

*Kindall, K. charged with manslaughter. The victim, Wilson, D. was found at the scene of the incident with the weapon (knife) protruding from his abdomen. Wilson died at the scene. Residents in the area reported hearing shouting within minutes of the incident. Peace Forces found Kindall's fingerprints on the knife. Wilson was found to be heavily intoxicated and it is thought that Kindall may have been provoked. Kindall's retaliation is nevertheless extreme.*

*School records and foster care families report Kindall as 'violent', 'volatile' and 'hot-headed'.*

Place of Trial: *Arkala Kingdom Youth Court (A'o)*

THE CASE OF KINDALL, K.

Judge: *Harrison, Timothy*

Defendant Pleaded: *Not Guilty*

Outcome of Trial: *Guilty*

*Defendant transferred to A's Detention Centre.*

*Imprisonment Duration: Two months\**

*Imprisonment Type: Isolation*

*\*Subject to revision*

This information is confidential. If you are not the intended recipient, please return to Arkala Kingdom Youth Court immediately. Failure to do so will incur penalties under the Revised Crimes Act (03) ss17-21. If you are the intended recipient, for further information please request a meeting with administration at your District's Court. Thank you.

# 1

*What am I getting myself into?*

He's still plagued by doubt. In a few hours Yuuki will be voicing his final decision, and though the meeting with Timothy is casual, the subject is far from it.

For the twenty-eighth time that morning, he weighs up the consequences of if he says yes and if he says no to looking into Kyle Kindall's case. Again, Yuuki reassures himself that it's okay to say no to the position; Timothy had written that letter the way he did specifically so that Yuuki won't feel guilty about it if he does.

But the weight behind those words 'won't feel guilty' dawn on him and wrench his heart. He'd stayed up all night thinking about it.

*And what if this Kindall guy is innocent, like he says he is? What if the trial really was unfair and he's being kept in prison – in isolation – for something that wasn't even his fault?*

It's why Yuuki's mind is made up to say 'yes.' No matter the doubt. No matter how much self-preservation urges him to reconsider. He can't bear the idea of denying this young guy a second chance all because Yuuki decided he wasn't worth the time and energy. He can't do that to the kid, guilty or not guilty.

## THE CASE OF KINDALL, K.

There's a knock on the bathroom door. "Yuuki," his flatmate, Lee, calls. "You all good?"

Yuuki runs some water and splashes his face, trying to make the lines beneath his eyes not so conspicuous. It doesn't have much effect. "Yeah," he mutters into the face towel. "I'll be out in a sec."

"I'm sure you've thought about it a hundred times over," Lee says, "but you know you don't *have* to do this. The trial's already been held. Whether you take up this job or not isn't going to change much."

Yuuki frowns. He tosses the towel onto the bathroom vanity and pulls the sliding door open with a little more force than necessary. "It might," he counters.

Lee doesn't step away from the doorway. "You don't know that, though."

"You're right, I don't. But what I do know is that nothing's going to have a chance at changing unless I give it one."

Reluctantly, Lee takes a step backwards, allowing Yuuki to leave the bathroom. Yuuki tries not to express his frustration but he's not sure if it works. He's too tired for this.

"Yuuki."

"No, don't say it."

Lee's brow creases. "I'm going to say it, whether you like it or not. Think about what you're doing. You have enough going on in your life already. Cut yourself some slack."

There's an uncomfortable burning in Yuuki's chest. It's fierce. It's instinctive. Yuuki's health be damned, this could be Kindall's last second chance. He has to do this – for the sake of this kid's freedom.

## THE CASE OF KINDALL, K.

“Yuuki.”

Continuing to ignore his friend, Yuuki grabs a decent t-shirt from the bedroom and shakes it out in front of him. He shoves his head through the shirt and wrestles it on. Giving the hem a quick tug, he sidles past Lee and heads back into the living room to pack his bag.

“Yuuki,” his flatmate murmurs, following him. “I’m worried about you.”

“I’m fine. Don’t be.”

“You’re not. You haven’t been since Ninao.”

Ninao. Yuuki grits his teeth against the wave of fresh emotion overwhelming his mind. No, he will not think about that. *Cell phone. House key. Wallet. Timothy’s letter. A pen, just in case I need it for whatever reason.* He will not think about it. *Right, and I need a jersey. Back into the bedroom.*

“Do you think you need to see someone?”

Yuuki’s getting really sick of this. Lee cares, he gets it, but it’s really starting to get on his nerves and he doesn’t know why. Maybe it’s because Ninao happened a year ago and all Yuuki wants to do with the memory is forget it.

*If only that were possible...*

“I am seeing someone,” he retorts. “His name is Timothy Harrison.”

Lee gives up. “Fine. Fine. Just...take care of yourself.”

This isn’t an argument Lee’s able to win and he knows it, but Yuuki feels no triumph in the matter. If anything, his friend’s silence only makes the relentless pain in his heart bitterer. Ever since Ninao, their friendship has been strained. Yuuki blames himself for that: if he was able to get a better handle on his PTSD, maybe they wouldn’t be fighting so often these

## THE CASE OF KINDALL, K.

days.

Yuuki decides on his thicker jacket since it's only just gone sunrise. He also takes his warden uniform, carefully folding it up and putting it in his satchel. Timothy often decides things spontaneously; so it's better to go prepared.

Neither Lee nor Yuuki say anything for the next half hour. Yuuki eats breakfast and finishes making himself presentable while Lee absent-mindedly reads through teaching material on his tablet. It's close to eight o'clock when Yuuki slips his satchel strap over one shoulder and heads to the door to put on his shoes.

"I'm off to meet Timothy," he says, even though Lee already knows where he's going.

"I'm going to my mate's place tonight. I'll be home late."

Yuuki nods. "kay. I'll, uh... I'll see you later, then," he says, opening the door.

Lee answers with a wave of his hand and a forced smile. Yuuki ducks in his head in goodbye and shuts the door behind him.

It's an hour's train ride into the city and from there a fifteen minute walk to where he's meeting Timothy. Yuuki gets off a couple of stations early.

The fifteen minute walk turns into one that takes forty minutes. Buying a coffee at a nearby vendor, he spends those forty minutes thinking and attempting to walk off the anxiety swimming in his gut. The air is crisp, but due to the overnight rain they had, it's thankfully not freezing. The warmth seeping through cup is nonetheless comforting.

Yuuki thinks about what Kindall will be like. He wonders if he'll be



## THE CASE OF KINDALL, K.

one of the more difficult ones. He wonders if his PTSD will get in the way of talking to him, maybe even make things worse – for himself, not so much Kindall. Maybe for both of them.

By the time he reaches halfway, he's consumed half the coffee and he's not so stressed, but Yuuki can't shake off the anxiousness. Belatedly, he realises it has more to do with the area in which he's walking than any thoughts regarding his potential involvement in the case: the streets are narrow and the second-story housing throws the pavement in shadow; it's not a dodgy area of the city, but there's lots of corners and shortcuts where dodgy people could be hiding; and then there's the way his footsteps echo in the quiet of a winter's Sunday morning, echoing, echoing and sounding like someone else's footsteps coming up behind him.

Yuuki grimaces and walks a little faster. Being vigilant and situationally aware is one thing; being hypervigilant because you're still on edge about something that happened a year ago is another.

*"Do you think you need to see someone?"*

Maybe he does, but he doesn't want to. Yuuki's never been good with talking about himself so he has no idea how he'd go about it. He doesn't understand his issues well enough to be able talk about them anyway, so he reasons that even if he did go to see a counsellor or a psychiatrist, he'd have too much trouble trying to describe what he was going through for such sessions to be of any use.

Timothy is the only person he trusts enough to be able to talk about it. Yuuki knows what Timothy's about and Timothy knows what Yuuki's about, all without him having to verbally explain himself. Part of that's because Timothy was directly affected by what happened at Ninao, and

## THE CASE OF KINDALL, K.

involved in more ways than one. Though they haven't been friends for long, they trust each other completely.

It occurs to him that Kindall probably doesn't have anyone like that in his life. If Yuuki's conclusion is correct, then the only person who spoke on Kindall's behalf at the trial was his youth advocate. No one else did. If the kid had any other support, they weren't present. Even his foster family spoke strongly against him.

Something about that doesn't sit right with him. There seems to be a strong bias in the words used to describe Kindall, all giving the connotation that the kid is some sort of hot-headed mess. Who's to say the people describing him are even reliable sources in the first place? Who's to say Kindall's behaviour wasn't misinterpreted or provoked to begin with?

Thinking about that, he understands why Timothy called him up about this case now. Yuuki's no judge, but he's had plenty of experience dealing with misinterpretation issues such as these. He's been a warden long enough – even if what he mostly does now is paperwork – to know it's more than an occasional problem.

It didn't escape Yuuki's attention last night, though, that the word 'isolation' was listed as Kindall's form of imprisonment. Isolation. Solitary confinement. Kept in a locked room, just himself and his shadow. It might be a concerning punishment for someone who might not even deserve it and it might be something that Yuuki hates to think of someone possibly not guilty being subjected to, but he has to be careful how much he lets himself get involved in this investigation.

Yuuki knows what Lee's warning is about. What happened at Ninao

## THE CASE OF KINDALL, K.

still haunts Yuuki, and the setting of an isolation cell might end up being too much. While that's true, where Yuuki had people looking out for him, searching for him and fighting for a way to get him back, Kindall has no one. Not now, not when the incident at the park happened and seemingly not even before.

Yuuki hadn't been alone when he was kidnapped. Timothy had with him, helping him finish setting up the Youth Rehabilitation Trust fund. He was there when Yuuki had been abducted from the Ninao office, and he would've been kidnapped himself had it not been for his son Joshua's quick action.

The unidentified pro-Taularh people had taken Yuuki to a shed and left him there to die.

Of all people to have an idea of how Ninao impacted him, it would be Timothy, and Timothy wouldn't suggest working on reviewing this case with him if he thought that it might prove to be too triggering. Yuuki trusts Timothy's judgement, and that alone is enough for Yuuki to be convinced and assured that Kyle Kindall's case deserves to be looked again.

Timothy and Joshua had rescued Yuuki. If Kindall's innocent like he says he is, then Yuuki hopes that he'll be able for Kindall what Timothy and Joshua had been for him.

Ten o'clock rolls around fast. Yuuki only has to wait five minutes before Timothy's car pulls into the carpark. They order and find a spot in one of the corners where they can talk in relative privacy.

"Alright," Timothy says, hands clasped where they rest on the table. "Before you give me your answer, I want to make sure you know what

## THE CASE OF KINDALL, K.

you're dealing with. You're already a warden, so it's not as though you haven't interacted with any of the kids before, but to Kindall I'm going to need you to be a counsellor and possibly a mentor to him also." He pauses, watching Yuuki's reaction carefully. "Are you prepared for that?"

Yuuki breathes out slowly and leans back in his seat. "If I'm to be honest, I...I'm not sure. I don't know if it's something that can really be prepared for, I guess. But my answer is yes, regardless. I want to give him a chance."

"I figured you'd say 'yes'." Timothy says, mouth quirked. "Just know that you aren't alone in this, okay? If it gets too much, there's no shame in pulling back."

"Thank you. I appreciate it. I just...I feel like this is something I must do, you know? If Kindall really is innocent, then I'd hate to think what two *months* of isolation is going to do to him – on top of being accused of taking someone's life."

"You're kind to a fault, aren't you? But, Yuuki, if things don't work out with Kindall, don't beat yourself up over it, okay? Or at least try not to."

Yuuki smiles. "You know me too well."

They break off conversation when the waitress brings over their coffee. Timothy acknowledges her with a thanks as she steps back and walks away. He takes a moment to sip his coffee and gather his thoughts while Yuuki waits for his own to cool.

"Have you got any questions?" Timothy asks eventually.

"I do. When will I be meeting Kindall?"

"Today."

## THE CASE OF KINDALL, K.

Yuuki opens his mouth to automatically say he can't but Timothy only grins.

"No need to worry. I sent Mitchell the contract details before I sent you the letter with the case details on it. He said you're all good to start work after you've met with Kindall."

"Good thing I brought my uniform, then," Yuuki murmurs. "Mitchell's not worried about how it's going to affect my hours? I'm surprised he hasn't just replaced me, for all the days I've had to take off."

"He's reworking your schedule." Timothy crosses his arms over his chest. "You probably won't be doing your usual work while working on this, at least not to begin with, but Mitchell still wants you around. I know work's been hard for you since...since Ninao, but you're an invaluable member of the team, Yuuki. Since the change in legislation, there's not many who would be willing to give out second chances. It's going to take every person we have to keep fighting for fair justice."

Since Taularh took over the Arkala kingdom, the rules became stricter and the punishments harsher. One chance is all most people get. If a person is wrongfully convicted, the compensation is minimal. While it isn't anywhere near as bad as medieval penalties were, it's still a far cry from King Fahlu's ideals. There's no way King Fahlu would have allowed a seventeen-year-old to receive a punishment of two months in isolation for something he may not have even done.

Timothy unzips a jersey pocket and pulls out a folded piece of paper. He puts it down in the centre of the table and smooths it out. It's a photograph.

"Here," Timothy says, sliding the photo closer to Yuuki. "This is

## THE CASE OF KINDALL, K.

Kindall.”

Yuuki spends a minute familiarising himself with the teenager’s appearance. His features suggest he’s of Arkala’ana ethnicity, or at least partly. The contrast between dark brown hair and too pale skin is concerning – that and the purple-tinted shadows in the corners of his eyes. There’s no hint of malice in his expression.

In fact, the longer Yuuki looks, there’s no hint of anything in his expression. He looks...empty. It’s like getting arrested destroyed the last sliver of hope he had left and after that he just...gave up on life.

The coffee’s cooled enough for Yuuki to drink. He savours the bitter aftertaste as he mentally prepared himself for the challenge that lies ahead. His heart hurts for a person he’s never even met before.

“You personally believe he was telling the truth when he said he wasn’t guilty?” he asks Timothy.

Timothy raises an eyebrow. “You know that I’m not allowed to say. What I can say, though, is that I believe he was poorly represented and it basically came down to his word against everyone else’s. There was sufficient evidence to suggest he may have been guilty, but none to suggest he wasn’t. What I want to know is if there actually *was*, and if so, for what reason it wasn’t presented at Kindall’s trial.”

Yuuki nods. Timothy may not have articulated which side of the fence he’s on, but Yuuki can hear it in his tone. It’s also clear in his actions of asking for another perspective on the matter.

“I will do my best, sir,” Yuuki says firmly.

Finishing the last of his coffee, Timothy smiles and shakes his head. “No need to be formal here, Yuuki. Now, you said you brought your

## THE CASE OF KINDALL, K.

uniform along with you? Finish your coffee, go change and then we'll head over so you can meet the one at the centre of all this."

Since the Ninao incident, Yuuki hasn't been in his warden uniform often. The royal blue seems duller than he remembers, the material lighter, and when he shrugs off his jacket on entering the heat pump warmed building, it makes him feel more vulnerable than it should.

He and Timothy wait in the meeting room as requested, Timothy standing off to the side and Yuuki sitting at a table with a vacant seat opposite him. He's nervous now. Though he studied the photograph in the car on the ride here, Yuuki knows it'll be much different meeting Kindall in person.

Yuuki's anxiousness builds again. He hasn't really been involved in anything outside paperwork for over a year now. What if his interacting skills aren't up to scratch? What if he ruins all of Kindall's chances of a retrial because of his own incompetence? What happens if Kindall says something that triggers Yuuki's PTSD, and though he wants to keep helping Timothy, he can't because his head's such a *mess* –

"Yuuki."

Timothy's watching him stress himself out from where he's leaning against the wall. He's smiling softly, though there's a crease in his brow. He's about to say something when then the door opens.

Yuuki's nervousness dissolves into concern at the sight of the youth.

Kindall shuffles in, eyes downcast, shoulders slouched. His wrists are hand-cuffed in front of him, secured to a belly chain wrapped around his waist. The orange prison uniform makes him look ill. The shadows

## THE CASE OF KINDALL, K.

beneath his eyes are like bruises. His expression is blank.

“Take a seat,” Mitchell orders, guiding him to the chair opposite Yuuki.

Kindall sits. He leans heavily against the back of the chair.

“This is Officer Yuuki Takahashi,” Mitchell says gruffly. “He’s here to help. All goes well, your time of imprisonment may be reduced a few weeks or you might even be offered a retrial. If that’s going to happen though, you’re going to have to cooperate. Understood?”

Yuuki hopes the boy will look up so they can make eye contact, but he doesn’t. He just...sits. It’s like he doesn’t have the energy to function properly anymore. Yuuki tries to recall how many days it’s been since the trial and his stomach starts churning.

*Hasn’t it only been a few days?*

Unfortunately, Mitchell interprets the behaviour as flat-out disrespecting a warden. He gives him a sharp nudge in the shoulder.

“Answer me, Kindall.”

The teen’s throat moves as he swallows. He murmurs something, but it’s too low to hear.

“Kindall!”

“Yes, sir,” Kindall says, louder this time but voice still husky.

Yuuki studies him carefully. Kindall’s eyes are void of emotion. His body language is that of someone defeated, of someone who’s given up. Someone who’s been given up on.

*But not by everyone.* Yuuki takes a deep breath and asks, “Name’s Kyle, right?”

The question is met with silence. Yuuki’s afraid Mitchell’s going to reprimand him again when Kindall replies with a small nod. Yuuki lets out



## THE CASE OF KINDALL, K.

a relieved breath.

“My name’s Yuuki Takahashi,” he says. “I’m a warden here...well, off and on, these days. I’ve read about your trial and I’ve heard that you may not have had as fair a trial as you should have. I want to help change that.”

Kyle’s eyes flick to where Timothy stands at the side of the room. He glances up at Yuuki briefly before dropping his gaze to hands. His voice is barely a whisper. “Why?” he asks.

Yuuki opens his mouth to reply but the words catch in his throat. *‘Because I want to help’* isn’t going to be very convincing to someone who’s in his position. He’s probably heard it a hundred times over only for the same people who said it to give up on him. Yuuki pauses for a few seconds to think, aware of the silence stretching out longer.

“Because I believe in second chances,” he says. “May I ask you something?”

He waits for a response. Kyle shrugs.

“It’s recorded that you pleaded not guilty. Do you still stand by that, Kyle?”

Kyle’s gaze hardens then. His brow furrows and his frown deepens into a scowl. He closes his eyes, nostrils flaring. “What does it matter?” he mutters. “It doesn’t matter what I say. If they say I’m guilty, then fine, I’m guilty.”

“But are you?”

Yuuki fights the urge to lean forward. The action might be an inquiring one, but it’s also one that’ll impose on Kyle’s space. Maybe if Mitchell weren’t standing at Kyle’s back he would because he wants Kyle to look at him.

## THE CASE OF KINDALL, K.

Kyle does look at him. The intensity of his glare is scolding and painful all at once.

“I’m not asking you to tell me what you think everyone else thinks,” Yuuki says. “I’m asking you what you think.”

The heat dies in Kyle’s eyes, leaving only a deep-seated loneliness and an anger born from injustice. At least, that’s what Yuuki makes of that expression. He knows other people see it differently, but Yuuki’s not here to see Kyle in the same light as everyone else.

“What do *you* think?” Kyle asks. There’s a challenge to those words.

Yuuki shrugs, forcing himself to hold eye contact. “I don’t know. The only information I have on your case is generalised, and I’m glad it is because I want to decide for myself what I think. But you’re going to have to help me. There’s a number of people who I could ask for their opinion on whether you’re guilty or not, but I want to hear your side of the story.”

“For all you know, I could be lying. What’s my word worth?”

Yuuki feels a small smile tugging at his lips as the challenge redirects itself. “And why would you try to succeed in lying if you knew all the evidence was going to be against you anyways?”

The scowl eases back into a frown. Kyle considers Yuuki warily. *He’s fighting himself*, Yuuki realises. *I’m giving him hope, but for all he knows that hope isn’t going to last. At this stage, it’s still his word against everything else.* It occurs to Yuuki then that even with his added perspective, it still might not be enough. Judging by the way Kyle doesn’t seem to be overly excited about the opportunity, he’s already realised this.

*We’ve still got to give it a shot*, Yuuki thinks resolutely. “So,” he says, leaning forward this time. He extends a hand across the table. “Will you

## THE CASE OF KINDALL, K.

let me help you?”

Mitchell’s posture changes slightly, as though he’s preparing for Kyle to grab Yuuki’s hand and yank him over the table. Yuuki ignores him and remains as he is. He keeps his expression neutral. No fake smiles. No trying to convince the kid he’s as honest as he is when he says he wants to help. That’s all for Kyle to decide.

For a long moment, Kyle just stares at Yuuki’s hand as though waiting for him to withdraw it. But Yuuki waits patiently. Kyle grunts, sits up slowly and awkwardly accepts Yuuki’s hands in his hand-cuffed ones. There’s a drop in tension in the room.

As they both sit back in their respective seats, Kyle remarks, “I suppose I have nothing left to lose.”

Yuuki doesn’t understand how much weight those words carry.

“Alright,” he says, “Officer Mitchell here is going to sort out a schedule for us to meet a few times during the week, starting from...uh...”

“Starting tomorrow,” Mitchell supplies. “Half an hour every three or four days to start off with.”

Kyle doesn’t react.

Yuuki frowns. “Is half an hour long enough?”

Mitchell grunts. “He’s lucky to have even that. The terms of isolation mean no contact.”

Kyle’s eyes have gone dull and lifeless again. *Talking about him as if he's not in the room. Treating him like he's not deserving of healthy social interaction.* Yuuki forces himself to control his anger. Mitchell’s not the one who made these rules – Taularh did. Expressing his anger at how much he resents this kind of punishment is not going to change them.

## THE CASE OF KINDALL, K.

For now, Yuuki agrees to the terms. Kyle has no choice but to do so.

With the purpose of the meeting achieved, Mitchell takes Kyle by the arm - Yuuki doesn't miss how Kyle flinches - and escorts him back to his cell. Yuuki's gaze lingers long after the door shuts, a sense of helplessness overwhelming him. It's Timothy who stirs first.

"Yuuki?" he asks quietly. "Are you okay?"

It's hard to breathe. Anger turns to a sharp pain behind his eyes, and before Yuuki's able to get a grasp on his emotions, he's crying.

He thinks of Kyle being forced back into isolation this very minute and memories of what happened at Ninao flood his mind. The darkness. The hopelessness. Losing his mind. Minutes stretching into hours that felt like days with nobody coming to rescue him. He thinks of Kyle going through that, accused of something he may not have even been entirely responsible for. He thinks of Kyle having to go through what he did.

Timothy's strong arms wrap around him as he begins to hyperventilate.

"It's okay," Timothy murmurs. "You're okay. Just breathe, Yuuki. You're safe. You're not there anymore." The door opens but he ignores it, continuing to rub Yuuki's back. "We're going to do all we can to help Kindall, okay? We'll do all we can to get him out of there."

Yuuki nods, fighting for control of himself.

"He's going to be fine. Okay? We'll see to it that he is."

If Yuuki wasn't a hundred percent on board before, he is now. Taularh's rules or not, he's going to find a way to make sure that Kyle is out of there as soon as possible - guilty or not guilty.