While the twelve deliberated, I stood just outside the courthouse in a freezing and bitter rain, my body pressed under the lip of the building's roof, smoking. I had quit for six years, only to start up again five months ago worse than ever. Three cigarettes in, my phone buzzed. I knew immediately that it was the courtroom calling—they had a verdict. Since the judge was at lunch, we were to return to the courtroom in twenty minutes. I went downstairs to let the team know.

There are four cells in the basement of the courthouse. Sara Labiche and Frankie Holmes were sitting in the first cell with Albert while Morg was at the end of the hallway chatting up a deputy sheriff. This was our defense team. The fact that I had started smoking again annoyed everyone but Morg, who occasionally snuck one himself and felt we had much bigger problems to worry about than my rotten habits. Sara, who was particularly sensitive to the smell but too polite to mention it, kept her annoyance to herself. Not so Frankie.

"For fuck's sake, Simon, you reek. How many cigarettes have you burned through already?" The truth was that my smoking upset the team not because of the smell or my health or even the inconvenience of having to track me down during a smoke break, but because each member of the team derived strength from the others, and my reverting back to tobacco after having broken the habit conveyed my agitation to everyone. My weakness.

I didn't answer Frankie. Instead I looked at Albert, who unnervingly had never complained about a single thing. You couldn't help but notice how frail he looked. Every day he seemed to be disappearing more and more into himself. He was wearing the pale blue shirt and khakis Frankie had bought him, but he had lost weight even in the two weeks since she'd given him the clothes. I felt a sudden wave of sadness.

"Albert, how are you?" I asked.

"Five moves from checkmating you, I think." He was referring to the chess game we had been playing by mail, an idea I'd had to help us connect to each other on a more level playing field than the typical lawyer-client relationship allowed. He looked around the room and theatrically counted with his finger: "That's the third time I've been asked how I am."

"We're all asking how you are because each of us actually wants to know. It's a small question, Albert, but maybe with a big answer. Can you please tell us how you are?" This was Frankie. She was as nervous as the rest of us, but not the quiet worry of Sara or the fuck-them-all anxiety that I often felt. Her angst came out of her more honestly.

"Actually, we unfortunately don't have time to hear how Albert is doing at this moment or how badly I'm losing our chess game," I said, now embarrassed that I had asked the question at all. "I got a call from the courtroom. They have a verdict."

"I guess we'd better get up there," Sara said calmly, the prototypical pilot explaining to the passengers that one engine had failed but that the other one was more than sufficient to land the plane in the field over that grove of birch trees coming up on our left. Just then the sheriffs appeared at the cell door and pointed their fingers in the air.

“We’ll see you soon, Albert,” I whispered. Walking the stairs to the courtroom, I turned to Sara and asked her to call our mental health expert, Doctor Sayers. “He’s about to be found guilty of two murders, and all he can talk about is chess.”

Twenty minutes later, whatever slim reed of fancy I had been clinging to was gone. There was no lengthy deliberation. Indeed, it wasn’t clear that the jury had deliberated at all, since they returned with their judgment almost immediately after finishing lunch. Not a single person in the entire courthouse could have doubted the result at that point. Sara and I stood with Albert for the verdict, and when the first “guilty” was announced, and the infinitesimal possibility of a fluke result had dissipated under a ripple of courtroom applause, I suddenly felt the same weakness I had suffered earlier in the day. Albert looked over at his lawyer, me, and saw me shudder, as if I had almost fallen asleep and suddenly jolted awake. And I knew he saw something else, because no client had ever looked at me this way before. He saw—I know he saw—that I had been trying to avoid this outcome as much for myself as for him. When the second guilty came a few moments later, he gently took my elbow and whispered, “It’s okay.”

Ordinarily this would be the end of an entirely routine story, if in fact you could even call it a story. A jury was chosen, rights were provided, a judge presided over a trial, a verdict was pronounced. A guilty man, a man who didn’t bother to claim otherwise, was found guilty. But when the state is trying to execute that man, a guilty verdict is only the beginning of another story. This story.