

Durango Two Step

Prologue

Aztec, New Mexico

“You goin’ havta park that fuckin’, stinkin’ truck somewhere else, cowboy.” These precise instructions had been delivered by the overly large, also stinkin’, truck stop manager and sometimes cook. The aroma from the toxic hauling rig had his diner customers complaining.

“Don’t call me cowboy, you fuckin’ pig.” The man responding to the pig was sitting in the diner enjoying a cheese burger, and had not noticed the offending odor. He had been driving this toxic dump truck for over six months and any sense of smell he ever had, had long gone.

The obese manager sensing danger moved behind the counter, requiring some effort. He secured a sawed-off, very illegal, shot gun. As he brought the gun up above the counter to continue his conversation with his customer, the customer pulled out a Smith and Wesson compact 45, his most prized possession, and shot the manager dead. “Self-fuckin’ defense,” is all he said as he held the gun out toward the customers ready for further action and eased to the front door.

The truck roared as it exited the dirt parking lot and headed north toward Colorado. Once the immediate shock wore off the diner patrons, cell phones popped out and calls were made to the cops. The New Mexico State Patrol had no one located ahead of the fast moving truck. Two patrol cars were dispatched from Farmington but they would have little chance of catching the truck before it entered Colorado. The Colorado State Patrol was contacted and were advised of

the circumstances. The driver was wanted for questioning in a cold blooded murder and was armed and dangerous and headed their way.

Heading north from the Aztec Truck Stop and Diner on U.S. Highway 550 meant there was almost nothing between there and the Colorado border. Some miles ahead there was one small town; Cedar Hill, but nothing else until you reached Durango. The truck driver was very familiar with the route; he had been driving the same path for months. He began his journey on the Navajo nation where his ugly beat-up truck was loaded with the foulest shit he had ever seen. He had been directed by his useless boss not to stop while the truck was loaded but of course he ignored that asshole. His destination was between Durango and Telluride where he would dump his smelly load and collect his money. He had no idea what the stuff was but all of the people at both ends of his trip were dressed in those hazmat suits, so it had to be bad shit. He wasn't overly concerned since he was high as a kite on all of the trips. His drug addiction had complete control of his life and he knew the end was near.

Somewhere after Cedar Hill the fog in his brain began to lift and he started to remember firing his gun, but the details were still fuzzy. This might be his last trip on this shit job. Hell this might be his last job, period. Because of his record and drug use most places wouldn't hire him. He usually figured anybody who hired him had something to hide, just like him. He knew this job was not right, no doubt whatever he was hauling was illegal. Probably had already infected him in some way. Maybe he would just dump this whole load right in the middle of downtown Durango; place would smell like crap for months. The thought made him smile. As he pondered the joy of spreading misery, he was driving faster and faster. There was no traffic and he had reached eighty miles per hour and he kept pushing the gas pedal harder.

The Colorado State Patrol had dispatched a small plane from Durango to try and locate the truck. Also four patrol cars were sent south on highway 550. The whole area was farm land with some businesses but no real town from the New Mexico border until Durango. They had settled on the intersection of highways 302 and 550 to set-up their roadblock. A large fast moving rig was not something you could stop easily. No one was happy to be headed towards this potential disaster. Several Colorado cops were heard saying what pussies those New Mexico cops were for letting this guy get out of New Mexico. Leaving it to them to clean up the mess.

Once they reached the intersection the airplane reported that the truck was about thirty miles away and traveling at speeds approaching one-hundred. The pilot also confirmed that the truck had been identified as the suspects truck by the New Mexico police and he gave them a description of the rig.

The only option for stopping this truck was to place tire-busting spikes on the road. This would cause a lot of havoc and more than likely kill the truck driver at those speeds. And while the closest farm house was more than half a mile away there could be potential risk for anyone in the house. One of the officers called-in and went over the plan with his captain. He also sent one of the cars to the farm house to removed anyone in the house, just in case. During this time the other officers were laying the spikes across the highway. One car had stayed back down the road to block it off from any other traffic.

“Looks like we’re good to go. We need to get these cars back off 550 and down 302. Not sure what will happen when that truck hits those spikes but the captain agreed to the plan so it’s what were doin’. If for some crazy reason this guy is alive after this bullshit, shoot the fuckin’ bastard.”

They pulled back and waited.

After a short wait they were able to see the truck in the distance. The massive truck seemed like a monster that was headed their way to bring death. The cops felt the danger and there was tremendous tension. The truck was traveling at an unbelievable speed for that size vehicle. It seemed like the truck itself was seeking its own demise, traveling faster and faster.

The lead officer had binoculars and was watching the cab to see if he could get a look at the driver. Soon he had a good view. The driver seemed almost calm, staring down the road. His face projected rage and his eyes were not blinking. The truck almost seemed to be breathing as it neared the spikes.

At the point of contact with the spikes the many tires along the truck started to explode. Much louder than any of the cops had ever heard. One after another the huge tires were blowing up with a loud noise and a lot of visible dust. The truck did not slow a bit, it kept moving at an unbelievable speed. "Jesus, is it going to stop?" One of the men shouted out. The truck started to move to the right as the traction with the blown tires took more bite into the road surface. Then it hit the soft shoulder dirt. The truck dug into the dirt with amazing force. As it became more bogged into the road shoulder the truck started to tip and in the blink of an eye the truck turned over onto its side. What was probably a thirty-ton machine was now digging a huge trench next to the road, spitting up vast amounts of dirt and debris. And then without warning the truck hit something more solid and it turned the truck away from the highway and into a plowed field, headed straight for the farm house.

The cops jumped into their cars and headed out to where the truck had gone. The dirt and dust billowed around the path of the massive vehicle and it had yet to stop. The top cop's heart

was beating faster and faster as he saw an oil rig in the path of the truck, he had not even noticed it before; would it explode if the truck hit it? He started to panic and drove much faster.

Then the truck stopped. A huge dust cloud seemed to hover over the moaning truck. It was on its side and all of the ugly looking junk that was in the truck was spilling out in an oozing mess. Even at the speeds they were traveling it took the cops several minutes to get to the now dead and steaming truck. As they got closer they could see the driver climbing out of the cab. Even at that distance they could see he was bleeding from several serious looking wounds. The man climbed up on the side, now the top, of the cab. He looked directly at the first police car racing in his direction; he gave them the middle finger, pulled out his gun and shot himself in the head. He fell backwards and tumbled to the ground.

Once the cops got to the horrendous accident site they became aware of the smell and their eyes began to burn. The lead cop ordered everyone to back away from whatever was the source of the vile smell. They set up a perimeter out hundreds of feet and stayed away from the ungodly mess. Hazmat teams were headed their way. The cops were happy to wait.

“My god, I have never seen anything so frightening in my life, what was wrong with that guy?” One of the cops piped in.

“Crazy, the whole fuckin’ world has gone crazy.”

Chapter 1 Just Keep Plowing Along

Telluride, Colorado

Some days were better than others for Maxwell Franks Junior. He had become filthy rich in all senses of the word by hauling various hazardous materials from the Navajo nation into Colorado and dumping it illegally on some of the vast lands he owned. Most of those lands had been left to him by his thankfully dead father, who Junior only remembered as a scolding old man who seemed to think he had a right to run his rebellious son's life. Franks Junior had left the homestead and gone back east to law school only returning to attend his father's funeral. His last words with his father before he left were that he would have him locked up if he ever returned. It seemed safe to return after he died, although the facts that could have placed Junior in jail still existed.

During the funeral reception Franks Junior had told step-mother number three that she should leave town now or he might have to kill her. The twenty-something bombshell had heard the stories about Junior from his father and took the threat seriously; she left that afternoon. In another bold move the son entered the Maxwell Franks Law Firm and declared he was the new owner and anybody who didn't like it could drop dead. No one objected.

The Maxwell Franks Law Firm in earlier times had a national reputation for numerous successful defenses of various criminals. Franks Senior was considered one of the top legal defense lawyers in the country. His location in Telluride put him out of the mainstream but

many people sought out his services based on his reputation. Over the last few years of his life he had pulled back some but his firm was still highly regarded.

After Senior's death the law office continued to practice law, but to anyone willing to look, it became obvious that Franks Junior's driving goal was more about business; and shady business at that, not the law. It was not long before he had numerous business interests in most parts of Colorado and down into New Mexico. His tactics were described by one disgruntled hold-over attorney as being more akin to a mob boss.

"This is Max Franks Junior, I own Industrial Waste Solutions and you sons-of-a-bitches owe me one hell of a lot of money. You can wire that to me today or I will bring back all of the toxic shit I've been hauling away and dump that crap right in your chief's front fuckin' yard."

"I'm sorry Mister Junior who was it you wanted to talk too?" The obviously not so bright receptionist hadn't really listened to what the man had said.

"Who the fuck are you?" The line went dead. Junior slammed the phone down hard enough to crack the plastic. "Fuckin' morons." He pulled out his cell phone and looked up his contact in the Navajo President's office. Bob MacDonald. *How does a Bob MacDonald fit into the Navajo nation?* Junior wondered. He clicked on the number.

"MacDonald."

"I've paid you a lot of money so I don't have to do what I'm doing. I should not have to call and ask you bastards to cut me a check. So why don't you immediately wire me the money you owe and we will be friends again." Franks was used to getting his way and was very unhappy that he had to call and ask for money.

“Max, listen we’ve got problems. I don’t think we should discuss this over the phone. Can you meet me in your office in Durango?”

“What the fuck are you talking about. Problems? What kind of problems?” Franks could tell Bob was worried but he seemed to worry about a lot of stuff that didn’t really matter.

“It’s a result of that accident south of Durango. There’s a whole shitload of federal agencies looking into what that stuff is and how it got there. They have been here asking us what is going on. At this point we have not given them any information but eventually this will come out. This could get real ugly. Meet me today.”

Fuck. “Okay, later this afternoon around three-thirty.” Junior found a glass and poured some whiskey. He needed a fall guy and quick. First he needed to talk to Butch. Butch Grover was his accountant, CFO, VP; whatever title he wanted. He was the only guy Franks trusted. He needed to know how to remove himself from the paper trail. He wasn’t real sure that was possible but if anyone could do it; it was Butch.

“Hey Butch, I’m headed to Durango for a meeting. Probably spend the night. Got some things I need to go over. Could you ride along so we can discuss in private?”

“Sure Junior. I can run home get my stuff and be back in about half an hour does that work?” Butch sounded nervous but that was common around Junior.

“Yeah. We’ll head out when you get back.” Junior set down at his desk and started to make some notes. This was going to be complicated and he didn’t want to forget anything. The first item on the list was his biggest problem or best solution; Ken Simpson. The next item was “ranch.” As soon as he wrote it down he called.

“Bar X Ranch, this is Tom, how can I help you.”

Tom Cassio was the manager of the ranch operation, which included the dump sites.

“Tom, Junior. We’ve got some people snooping around some of our operations. I want you to tighten the security around the ranch and especially those dump sites. Hire more people if you need to, just make damn sure no one gets onto the ranch. Got that?”

“Sure thing, boss; consider it done.”

Franks hung up. Cassio always sounded confident but Junior was not sure about him, something was odd about the man. There were times when he felt like Cassio was laughing at him behind his back; if he was, that would be a fatal mistake.

He continued to make notes. The next several items were names of politicians, some in Durango and some in Denver. If this got real nasty, he would need some political action to slow the feds down. But that was for later, right now he needed to distance himself from the most obvious problem; Industrial Waste Solutions, Inc. He was not listed anywhere in connection with the company except as it’s registered agent, which was a very normal thing for an attorney to do. The owner was his useless, dumb shit business partner Ken Simpson.

At first Ken was involved in the operation of the business, since he was supposed to know about trucking. It soon became obvious Ken didn’t know shit about anything, except maybe petty theft. Junior sent him back to Denver and began sending him a nice check every month and turned the operation over to someone who actually knew how to run a trucking business. But Ken was still listed as the sole shareholder. That provided a little distance but if anyone talked to Ken he would tell them he didn’t own anything. Ken thought he was being paid because Junior was compensating him for the trucks he took from Ken’s trucking company. But

that wasn't it at all. Ken was the front man and if anything went wrong; the fall guy. Well Ken ol' buddy it looked like it was time for a fall guy to fall.

Junior's phone rang. "Yeah. Okay I'll be out in a minute and we can leave. Bring whatever legal stuff you have on Industrial Waste Solutions."

Once in the car Junior began asking his questions. "Anyone else connected to IWS other than Ken Simpson?"

"Nope, we set that up real tight so there was no connection back to you or anyone else. You are listed as the registered agent but that was just an attorney function. Ken is the sole owner and officer. Something wrong?"

"Nah, nothing wrong. What would happen to the company if Ken died?" Junior was keeping his voice calm and casual.

"Well you know I mentioned that to you before, there is no succession plan and as best as I know Ken had no relatives. When this was first set up you asked me to check on his family and I found nothing. Even asked Ken and he said all of his asshole relatives were dead. You know he's not a very easy man to be around."

"Yeah, I know. So if he dies what happens?"

"It shuts down. Assets would be sold, probably by the courts and any debts paid and the balance of any money would go to the state. I really think it would be wise to set up some kind of contingency plan, even listing you as the successor so that the company could continue to operate." Butch hated loose ends and this one had been bothering him for some time.

“Yeah, we might want to do something. Didn’t we repossess those trucks from Ken’s old trucking company. How did they end up in IWS?” Junior thought he knew but wanted Butch to remind him.

“Well that’s right. Those trucks are leased to IWS so if they stopped paying the lease payments we could get the trucks back, so I guess there really not much in assets that IWS owns.”

“Who owns the trucks?”

Butch shuffled around in one of the files he had brought. “It’s one of yours, Z Trucks, Inc. You’re not listed anywhere but you own the company. The guy listed as owner was the cook out at the ranch. He’s the guy who got hit by a car a few months ago. Looks like that’s a slip up on my part. I never made any changes, it’s still owned by the dead cook.”

Junior was trying to remember did he have the cook killed for some reason, but he did not think so; guess it was just an accident.

They continued to drive as Junior thought. After a while he spoke up. “Just leave it the way it is, it will be sort of like a memorial to the dead cook, what was his name?”

Butch shuffled more papers. “Mike Younger. Old guy probably close to death anyway. But he was a good cook.”

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“Can’t the goddamn Indians keep those bastards off of their reservation?” Junior was turning red.

“Look Junior this is a serious issue, for us and for them. They can’t just tell all of these fed agencies to fuck off. They think the truck was hauling sludge from our refinery and they are asking for records. Even though the Navajos have all sorts of rights, everybody participating in that game knows it would take only one wild ass judge to toss it all out the window. What are the Navajos going to do if the Army shows up; fight a fucking war? These people will eventually get their answers, the Indians have no choice.”

“This can’t get traced back to me. The company is owned by Ken Simpson; I don’t know what he’s been doing.”

Bob MacDonald looked at Junior like had just grown two heads and fangs. “You’re not going to toss me under the bus are you Junior?”

“Of course not. You keep your head about you and do what your told and everything will be fine.” Junior smiled. He was thinking; *I’ll definitely toss you under the bus and I’ll make damn sure you don’t survive.*

Chapter 2 Sunshine And Darkness

Santa Fe, New Mexico

“Vincent, darling, could you pick up a few things for me at Whole Foods?” Nancy was in the bathroom getting ready. Her day was dominated by the fact she owned and ran the Crown Bar on San Francisco Street just off of the Plaza. A Santa Fe landmark as a bar with an outstanding restaurant reputation.

Vincent was stunned. Dumbstruck. Him inside Whole Foods, impossible; he had never shopped at a store like that in his life. Sure he was a big, strong tough guy, but fancy grocery shopping; he was terrified. “Lot’s going on today, might not have time.” *My god, he was lying to the love of his life because he was afraid of Whole Foods?*

“It won’t take you long. Remember the Olivers are coming for dinner tomorrow night and I just need a few things and a bottle of wine, it won’t take you long, okay? The list is on the kitchen table. It’ll really help me out, got a staff meeting first thing this morning to go over the new menu and it’s going to be hard for me to get out.”

Who gives a shit, it’s me that matters. Thank god she can’t hear my thoughts. Did he have a screw lose? He wanted a normal life after falling into a cesspool and living there for decades. Now things were approaching good with the hope of great and he would mess that up because he can’t shop for groceries. *My god man, grow a brain.* “Sure. No problem. If I don’t know something, I’ll call you and you can guide me through it.”

“Deal.”

He heard her cheerful voice and realized he was willing to do anything she wanted. Vincent had gone through some tough times and it was a miracle he had survived at all much less finding a new life in Santa Fe. At one time he was a promising young attorney in Dallas, married to the high school football queen, he proceeded to drink himself into serious legal trouble, for no reason he could explain; lost his law license, his home, his car, his money, his lovely wife and his self-respect. From that calamity he crawled out of the hole in a new town, Denver, as a legal investigator. What some called sleazy work, seemed to fit him to a "T." He was soon self-supporting but he had trouble building relationships after the Dallas trauma. He had survived but he was not the same. He was just marking time. After years and taking life one-day at a time he started aging and eventually developed health problems. Being a one-man band meant if he was not able to do the work, there was no money and soon no clients. Deciding his fate was old age and retirement he headed south to find cheaper housing and a know-nothing job until social security kicked in. Without a plan he stumbled into a van driver job at a new B and B in Santa Fe, and as they say, *the rest is history*. Of course a lot has happened in his short time in Santa Fe that has made him a stronger, more reliable man than he was when he arrived. His reward for that character improvement was Nancy, his fiancé. No doubt the best thing that had ever happened to him.

He examined the list and decided it didn't look long; so how hard can this be? He stuck his head into the bathroom and admired his lovely fiancé, even though she was only half ready for the world; she was a beautiful person. "Headed out. Meeting Tucker for breakfast. Something he wants to talk about but would not say what it is. My guess is that he's decided to move to that new firm and wants my approval."

“Well, be nice. Remember you may be his only friend.” She gave him that glorious smile which always seemed full of mischief.

Peter Tucker had dropped into Santa Fe from his self-imposed exile in Tulsa to defend his nephew on a murder charge. Tucker’s reputation had been made years ago as a hard-nosed defense attorney representing anyone with the money or fame that would add to Tucker’s reputation. Many of his clients were connected with the mob and to Tucker’s joy he became a media darling in the New York tabloids. Some of his court tactics were extreme and when one of his most notorious over-the-top maneuvers allowed a genuinely bad guy to get off and then later commit a horrible crime, Tucker’s business suffered. Even the bad guys thought he had gone too far. His successful defense of his nephew brought him back to life and he decided to move to Albuquerque and join the fray again.

Helping Tucker in the defense of his nephew was Vincent Malone. Two old legal war-horses at the battle once again had proven to be a formidable team. From this experience they developed mutual respect and eventually friendship.

“Why are you always so fuckin’ late?” Tucker had no patience for tardiness, with anyone.

Vincent had just entered the La Fonda restaurant and was greeted with the scolding. “Why are you always so fuckin’ grumpy?” Vincent retorted. They shook hands and smiled.

“Got a call from one of the old lawyers from that firm in Telluride, the Maxwell Franks Law Firm. He was kicked out when the son took over. He decided to stay in the area and retire. Told me he thinks the kid, Franks Junior, is a big time criminal and very dangerous and I should be very careful about any dealings with the guy. He tracked me down because he had heard

about the murder of Ken Simpson. While talking to some people in Durango about what happened my name was mentioned regarding something that might have involved Simpson and he thought he should warn me about Franks Junior. He said Simpson was nothing but a thug and well known in the area as a low-life. Him being dead was not considered a tragedy by anyone who knew him.”

“Strange to call you just to chat about the local bad guy gossip; what the hell did he want?”

“Vincent shut the fuck up. I was getting to that. I was giving you some background. My god how does Nancy live with you?”

Vincent raised his hands in surrender. “I will shut up, please continue.”

“What he wanted to tell me was that the gossip is that Simpson was killed by Franks Junior because of a screw up involving some very toxic shit that was being hauled to a hazardous waste disposal site that Franks runs on some property he has outside of Durango. Looks like the stuff is not normal hazardous stuff but extremely toxic and requires all kinds of safeguards in its disposal. The guy hauling this load from a Navajo reservation site got into an argument and killed a truck stop guy and then seemed to go crazy and crashed the truck. He survived the crash but shot himself at the scene with cops watching. Pretty strange. He told me it looks like Franks Junior could be in a ton of trouble with both states and the feds. He also indicated the gossip is saying Franks is blaming the dead Simpson.”

“Okay, I have shut up and I have listened; but I still don’t know why he called you?”

“He said he thinks Franks will need a fall guy for Simpson’s killing and the name he has heard is George Younger.” Tucker gave Vincent a serious look. “Apparently there is some

history between George and Simpson that we don't know about; and there is some forensics that might point to him.”

“Has he been arrested?” Vincent was now concerned for his friend.

“No. My guy said the cops can't find him. Once they do locate him, he will be arrested.”

“Shit.” Vincent stood. “I'm going outside and call him.”

If Younger had disappeared, he more than likely knew he was going to be arrested and for whatever reason knew they had a case. It gave Vincent little hope he was going to answer his cell phone, no doubt that would be first thing you would dump; and there was no answer.

“Fuck.” He went back into the restaurant.

“No answer. I know this is pointless but I'm going to Durango. I'm sure I can't find him but if he knows I'm in town maybe he will locate me or at least call.”

Tucker looked even more worried. “My old friend does not know of all of the connections but consider this; it was not long ago when Simpson's body was found that you were a suspect. What if you still are. They were unable to get the New Mexico authorities to cooperate and arrest you so maybe they decided they needed to get you to transport yourself back to Durango. How would you do that? Maybe accuse your best buddy of the killing and wait for you to ride to the rescue.” Tucker shrugged his shoulders.

“Yeah, I guess that's possible. But I didn't kill Simpson and there's no way they can place me in Colorado during that time and obviously they can't have any physical evidence against me, I didn't do it.”

Tucker shook his head. “Is that your real belief, if your innocent the justice system will work hard to find the truth and let you go on your merry way. My god, Vincent, weren’t you once an asshole attorney who bowed and scraped before the corrupt justice system so you could keep making your big bucks.”

Vincent grinned. “Okay maybe a few innocent men have been convicted. But I would have you as a lawyer and you would make sure justice was done.” He was smiling.

“You’re so full of shit. Look you need to stay away from Durango. We need to hire someone there and use them to find out what is going on.” Tucker still looked worried. He knew Vincent would not just let this ride without jumping right into the middle of the whole mess.

“There’s no one to hire. Younger was the only guy in that town I would trust and he has disappeared. I’m going to Durango. You need to stay by your phone and be ready to head up there in case they arrest me, okay?”

Tucker gave Vincent a dirty look. He started rummaging around in his coat obviously looking for something. He pulled out a business card. “This is supposedly the best guy in Jack Hill’s firm in their Denver office. Mathew Morgan. I’ve talked to him before and he knows what he is doing. If something happens you call him. I will call him and give him the background and authorize access to funds in case you need to be bailed out of jail. He can probably handle much of that without even being in Durango. I will also make sure he name-drops every big time politician or law enforcement honcho he knows if he talks to the Durango cops; they need to know you have powerful friends.”

Vincent chuckled. “The only powerful friend I know is you. Thanks. I know this is not wise but I can’t let them just railroad Younger without stepping in to help. But I will be careful and will keep you informed.” Vincent got up and shook his friend’s hand. It had been a long time since he had someone who could or would watch his back.

Vincent left and headed toward Whole Foods. As it turned out the experience was not that bad. On a couple of issues, he just asked the very nice people who worked there and got what sounded like expert advice. Soon he was headed home with a load of groceries and wine. He felt productive.

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He fixed Nancy a small dinner of roasted chicken, purchased at Whole Foods, and a salad, also purchased. At his skill level in the kitchen the already prepared foods were a treat for him and Nancy. He graciously accepted her compliments on handling his modest tasks for the day.

He told her about his plans to leave in the morning for Durango. She listened to his logic, gave him a dirty looked, started to cry and went to bed.

It had been Vincent’s habit since he was a young attorney, before his disastrous downfall, to make mental notes to himself at the end of the day. While much had changed over the years this habit had stuck. I have no choice but to go to Durango and see if I can help. Why Nancy cannot understand that is hard for me to comprehend. Would she want me to be someone who just walked away from friends, or even strangers who were in need. I want to make her happy but I can’t become someone else, at least not

*completely. Can I? If she loves me why does she want me to be someone else? Fuck.
I'm going, I sure hope it's the right thing to do.*