

# THE SNOW BIRDER

By

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*Second Novel in THE CASE RUNNER Series*

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< Prologue >

South Florida night hugged the marshes and sand banks of North Hollywood all the way to the ground. Even in May, the day's heat cooked up the ground's moisture and the cooler darkness left it nowhere to go. The fug hung around Bob Macken as he did his rounds in the shadow of the North Hollywood Aerie.

Bob checked the padlock on the gates and stopped to catch his breath. He had taken the job nineteen months after being laid off by Piper. There were no postings for experienced machinists, so a minimum-wage watchman gig looked like a decent short-term deal after his package ran out and unemployment was about to.

He lit up a smoke, had a good clearing cough and continued on his way, stealing a glance up the glass tower while still in the gate lights. He had come on after the foundation was poured and had seen the bones rise from the flat inner margin of the Intracoastal, the floors framed and filled, the pipes and conduit and ductwork grow with each level as walls and windows closed space. He'd moved from a construction trailer filled with blueprints and binders and cheap porn to an office carved out in the building's first floor, just up a

ramp from the field. He had been there almost two years when the project seemed done and the job over, and then the parking garage collapsed, and the finance and construction people started suing each other.

Now the new owners had finished up the lawsuits and their new contractor had demolished the garage to sink piles into the methane of an old landfill, abated the stench and rebuilt the garage from scratch. Detail crews were moving through the building, running down punch lists and setting up some model floors and apartments.

It looked nice by day. With the house getting a bit much for him and Margie to handle, this could be worth a look, if the engineers did their jobs, if it didn't all sink.

Bob crushed his smoke into sand at the perimeter between the garage and the tall, screened fence. He played his flashlight along the base of the fence, looking for diggers, and into the vast black void of the garage. He scanned the ground before him for signs of sinkholes between the pools of fence lights. The cold breath of the garage turned the sheen of sweat on his skin clammy. As much time as he'd spent out here, he didn't like this part, out away from refuge on the landward side near the base of the viaduct where the more dangerous creatures prowled. Bob patted his hip-holstered 9mm and let his hand rest on its butt.

There was no wind. The garage clanked and groaned anyway: Bats, possums, metal cooling, who knew. Steal the garage, if you can figure out how.

He scanned his cardkey at the last station, shone a light along the road edge, and turned back, firing up a relaxation smoke. He could see the lights of the building now, the beacon spot above the loading ramp door which led to the construction office.

I'll miss this when it's over, Bob considered. Free to read, or watch YouTube, no manager, just do the job. Construction's picking up, maybe catch on again, maybe long enough to retire.

Bob passed the juncture of the garage and the building humming "Some Enchanted Evening". Then he spotted something dark in a mound of brush near the fence and edged closer to look.

A hole. Damn. He tried to remember if he'd seen it on the way out: No. And bigger than a critter would make. Bob pulled out his cellphone to call it in. It rang a few times. Looking around, Bob thought he could make out a thin sliver of light along the ramp door, from inside.

George picked up.

"Securex. What's up, Bob?"

"George, got a big fresh hole, just since—"

Bob turned at a small sound to a close figure in black, a quick gleam, and with a brief confusion, it all went dark.

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After twenty minutes of hunting, I finally found a spot along Deerfield Beach. I saw backup lights and stopped short enough to almost get rear-ended by a Camaro. As the spot was being vacated the driver of the Camaro offered pleasantries unimpeded by his dropped convertible top. I waved cheerfully and whipped the Altima in. As I turned off the engine, I saw his thick red face framed in my rearview mirror. I sighed and stepped out.

“I got yer plate, asshole!” he yelled.

I grinned and held up my phone.

“And I have your photo. Suitable for Facebook, I think—”

He was gone in a cloud of squealing rubber.

I looked at the picture, hovered over Delete, but decided to keep it a few days, just in case. This probably didn't even make the Top 10 of his daily shit list, but it never hurt to have insurance.

Delia had texted that she and the kids were just south of the Pier. Her parents had brought them earlier, after church and lunch at the Chinese buffet, but they had left because their Fort Myers community had a Sunday curfew or something. I wasn't a beach person, so it wasn't me, for once.

I crossed over the berm and under the palms to the white beach and vast blue water. Still crowded at about five p.m. The kids were back at school, but the Canadian snowbirds were starting to roll in after Labor Day. The wait time for Early Bird specials at all the restaurants ballooned with re-entry to the warmth and light of God's waiting room; there

would be plenty of parking here in a half hour. I stopped in the shadow of a lifeguard chair and scanned for the peach umbrella.

I saw tanned, shapely legs emerging from the shadow of the west-canted umbrella about halfway to the water and the Pier. Delia was wearing the royal blue one-piece with tangerine side panels that slimmed her already slender figure. I found her propped up on a sand chair, scanning a ruffled paperback through large Ray-Bans.

“Hey, Deel,” I said.

She looked up pleasantly, setting down the book without marking her place.

“Hey yourself, Jay. My folks say ‘Hi’.”

“They didn’t either, but it’s sweet of you to cover. Where the kids?”

She swept back a stray fall of auburn hair and thrust her chin toward a formidable mound halfway to the water a little further toward the Pier.

“Go at your own risk. I’ll pack up.”

I sidled over to the mound, focused on that and not the vast sheening ocean. Sure enough, Justin and Chloe were in a deep, damp abscess in the sand, entrenching themselves with great industry. Justin’s wiry shape was topped by a white hard hat, no doubt provided by his granddad. He was trying to apply dark sand to the dry walls to stop the spill-in, while tiny Chloe was scooping sand with a large clamshell and carefully placing it atop the mound.

“You haven’t struck oil yet?” I asked.

Justin straightened up and removed the big helmet by its brim, wiping a gold-downed forearm across his brow and close-cut forelock.

“That ain’t the goal.”

Chloe stood up, hands on hips.

“Daddy,” she chided, “there no oil *here!*”

“So, what’cha digging?”

“A lagoon,” Justin said.

“For fish,” Chloe added.

I wasn’t going to point out that it wouldn’t go well for any fish that got stuck there, so I said, “Time to go and let the tides work.”

Chloe’s hands were already up to be lifted out, and I offered a hand to Justin with Chloe on my left arm. He just looked up at me with a sandy brown squint as though I were a new multiplication problem.

“Dad,” he asked, “where are your Mom and Dad?”

Chloe leaned back from my shoulder to join the interrogation.

“Yeah, Daddy, you have g’amma an’ g’ampa?”

I was struggling for an answer and the breath to speak it when Delia called.

“Who’s helping with the cooler?”

“They’re on the West Coast,” I said quickly, starting back with Chloe.

Justin was at my side.

“California?”

“No. Florida.”

“Where? Near Grampa and Granma’s place?”

I closed the distance to Delia, who was poised with the blanket that she’d just shaken out spread in her hands, and set Chloe down to help her fold.

“It’s a long story, Justin. My father was—is—not a nice man.”

The phone in my pocket buzzed.

Justin nodded. It made sense to him, I hoped.

“We’ll talk,” I promised, and pulled the phone.

Bree Wayland.

“Hey, Bree.”

“Hey yourself, Jay.” The syrup in her Coastal drawl fit the beach perfectly. “I’ve got a new case. Y’all have a minute?”

I pulled a grin for Delia and the kids, plucked up the folded umbrella and led the way back to the car.

“A couple now, more later. What’s up?”

“Remember that bust condo deal in North Hollywood your old friend was involved in, around the time of the Carlstadt Second Skin case?”

I’d met Josol in prison, a fact I’d been able to keep from Bree, but he wasn’t a friend.

“His friends tried to kill me, if you recall.”

“I’m bein’ facetious, Jaden. Anyway, that condo tower has new owners and a new name, the North Hollywood Aerie, but there’s still a world of problems – actionable problems now that they’ve got some buyers moved in.”

“Another Rivergate?” I asked, citing the lucrative mold case that contributed to our mutual bottom lines, my divorce, and my current living arrangement.

“Maybe better. New owners bought out the bankrupt developer at thirty-three cents on the dollar, and now they’re lowballing the market. But there are all these cracks and leaks.”

“*Caveat emptor.*”

We arrived at the Altima. I chirped it open and made for the trunk while Delia spread towels on the back seat, a nice consideration for my lease.

“My opponent’s theory, thank you. As far as plaintiffs are concerned, you in?”

“That’s what I do, Bree, find plaintiffs. How can I say no? – But could we discuss the details a little later? Picking up my kids now.”

And Delia, standing at the passenger door.

“Oh, bless your heart. Go on ahead and give them a hug. I’ll call you, say 10?”

I would be awake then, and alone.

“Sure thing.”

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We drove back to the house to get the kids hosed off, dried off and changed, Delia showered, and then we went out to Matty’s, the kids’ favorite diner. Justin’s plain hamburger and fries and Chloe’s grilled cheese and chips were served in folded cardboard cars with waxed paper inserts. The booths were sparkly versions of old car bench seats, and there were little push-button jukebox terminals with flip pages of singles and B-sides on offer. We were in Chloe’s “Tequila” phase, so we punched in three plays of The Champs for a quarter.

Delia and I sat across from the kids, Delia with Chloe on her booster seat near the jukebox, me opposing Justin, and ate in companionable silence. Our conversation in the kids’ presence tended to be civil and functional, which had led Justin to ask us separately over the past year why I no longer lived at home. Hard to answer an enquiring seven-year-old, particularly when I hadn’t entirely accepted the permanence of the split. But the way he



was sizing us up over bites of his burger told me he was working something out. He finally put it into words.

“Mom, have you met Dad’s Mom and Dad?”

Delia flashed me a startled look from her Cobb salad. I fed her a little nod.

“Uhm, no, honey, I have not.”

Justin chewed on that a moment.

“Is that because Dad’s daddy wasn’t a nice man?”

“Well, he just never, ... extended himself. Or Dad’s Mom, either. They kind of went away.”

“So, is Dad going away too?”

I noticed that Chloe was paying attention now. Delia and I exchanged a look, and a sigh.

“Justin, honey, Daddy could have gone off when we had our ... big disagreement. But he didn’t, and he won’t. He loves you, and Chloe—”

“And your mother.”

“...and me, too much.”

Justin fixed on me.

“Then why don’t you come home, Dad?”

At least he’d understood, at some level, that it wasn’t his fault.

“There are times,” I told him, “that I have trouble being a grown-up. Mom and I agreed that I need more ... practice. So I’m learning. Because whatever else happens I want to be the father that I didn’t have.”

Justin read me a little longer, and blinked.

“Oh,” he said, and took another bite of his burger.

Chloe seemed to be pondering something, and finally spoke in her lowest voice as  
The Champs stuttered to a stop.

*“Te-kee-la!”*

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When I dropped them off at the house, I gave each kid a hug. When I stood up, Delia took my shoulders and gave me a peck on the cheek.

“Good night, Jay,” was all she said. And frankly there wasn’t anything else to say.

Dusk was starting to settle when I drove back east to tuck in the car at Hollywood Airport Long-Term Parking in Dania, which I’d worked out was cheaper than renting a spot beneath my informal condo lease in Rivergate. Even when you threw in cabs, it was a serious saving, and the case runner business had its ups and downs.

Since it was still fairly early I first took a detour to North Hollywood. This Hollywood was at the north end of the barrier island that held Miami Beach and stretched inland just north of Miami. It mostly had a quiet, slightly down at the heels vibe you get in residential valleys between hot spots like Miami and Fort Lauderdale. On the Intracoastal side there was a Seminole casino; along the beach, you got a few hotels and condo towers. The inland lagoons off its northern end offered natural landfill opportunities to further the march of development. At a certain point as you drove north, the buildings petered out to utility plots and landfill. And then you came to the North Hollywood Aerie.

The bottle fly green glass tower stood alone on the inland Intracoastal side where A1A rose to ford the Stranahan River inlet and the Intracoastal Waterway. Anchored by a four-level garage, it rose straight up for about two-thirds of its length before stepping in once per floor with terraces facing the waterway and the ocean. The road curved to embrace and

feature the gradients of light on glass and white concrete at its point, turning it like a jewel as I went past.

I put the tower in the rearview mirror and continued to Federal Highway. The garage there had collapsed just before it was supposed to go on the market. I knew of three thugs involved in the financing of that place after the original investors had bailed. Once it was rebuilt, I recalled that a watchman had been killed there.

Pretty glass, ugly core.

I parked in the airport long-term lot and checked my go bag wedged in a corner of the trunk. The whole car needed vacuuming for sand, but it would keep for now, no visible stains. I took the airport shuttle and grabbed a cab back to Rivergate.

Crossing the Riverwalk, I passed Tiso's in desultory Sunday evening mode, mostly involving outdoor tables as the day's heat drained away on this cul-de-sac of the Tarpon River. Entering Rivergate, I found Saul focused on writing at the concierge desk.

"Evening, Saul."

"Oh, good evening, Mr. Smerlow. How are you?"

"Just fine, thanks. May I ask what you're working on?"

He drew a deep breath and smiled.

"My citizenship application."

"Good for you! You've been here a while, right?"

"Twelve years, from Nicaragua. This is my home."

"You made it home. Go for it."

"*Graças*, Mr. Smerlow."

I liked chatting with Saul, or Felix, or our other less regular front men. Once I got upstairs, there was nobody.

The elevator with no 13<sup>th</sup> floor stopped at 14. The key in my pocket fit the door. Inside the open one-bedroom with a little galley kitchen and island counter off the entry was furniture belonging to Hugh, the owner of the apartment, who now lived on the Pacific Coast of Costa Rica. I had met him while canvassing the building for plaintiffs in Bree's mold case, the same case and the same day I'd met Patti Villegas to start a wild, impulsive affair that had changed my life a second time.

I dropped the keys on the counter, looking out at the lights of South Florida through the window wall.

For better or for worse?

Worse was easy: I was here, my family was home. I thought about what I'd told Justin, what I had learned being here, separate. I took one of Hugh's tumblers for ice and seltzer, a scotch glass for a thick finger of Gentleman Jack, and retired to the window chair to consider whether I was becoming a better grown-up. At least I wasn't my father; he would not have required a glass for his whisky. No glass could hold enough for him.

I was dozing when Dire Straits' "Money for Nothing" grabbed my consciousness. I pulled the phone from my pocket.

"Evenin', sugar."

"Evening, Bree." I lurched up and over to the couch, where I turned on the lamp and grabbed a handy pad and pen. "Thanks for calling."

"Uh-huh. So, North Hollywood Aerie: They have a max of 498 apartments, with pool, exercise facility, meeting and party rooms, parking lot structure with tennis courts no

reasonable person would use on top, but for \$120K for a one bedroom with a modest HOA fee and coastal views, they're daring people to walk away. Particularly snowbirds."

"Not a shock."

"Nope. Shock comes when they move in and find cracks opening, and rainwater making it down to the 14<sup>th</sup> of 30 floors – so far."

"How many owners – so far?"

"'Bout eighty. My original client is the widow of the security guard who was killed just before they opened."

"You know his story?"

"Just that he was doing rounds and apparently got jumped by an intruder."

"Looking for what? If you want to boost materials, just wait and take 'em. No reason to kill the guy."

I heard a light tapping on the phone as I scribbled notes.

"Uhm, Jay? You can write your true crime book later. Margie Macken needs my professional services, and it would help me considerably to have some more plaintiffs. They're all there in a nice, neat bundle, and I'm sure Margie can get you in. So, standard rate?"

"Sounds right. How many and how soon?"

"I still have some research to do on my end. Let's say forty in two weeks as a soft target."

"Okay. Can I ask what kind of research?"

"Well, engineering, for starters: how did inspectors sign off on that place? Then, y'know, financing."

“I may have a little on the financing if you’re interested. Pete Simonetti worked that case for Derickson Wright. I’ll have the paperwork to you in the morning. The sooner you introduce us to your client, the sooner we’ll get started.”

I had been dozing before, but as we rang off I was wide awake and aware of the ghost of a cold, heavy hand on my shoulder.

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