

The Courier

By Robert Tomak

Eduardo Hidalgo Santiago sat in the courtroom staring out the tall windows on the opposite wall. Snow was falling. He tried to imagine what was happening at that very moment in his mother's home. He reasoned it was much earlier in San Pedro. His mother would be leaving for her work and his grandmother would be busying herself in the kitchen. He thought of his older brother, Juan, and his father just before he died when they went deep-sea fishing in the Sea of Cortez and his brother snagged a yellowfin. His father snapped a picture for the family album. His brother looked proud in the picture and stuck out his chest because he was the only one to hook a fish. His brother started a business with the *gabacho* in Abilene and right away he had lots of money. He built a house right next to his parents' house for him and his bride. He had it painted blue, he said, because her name was Violeta.

They shot his brother dead in front of his new house in the morning—the *narcos*. Violeta took the baby girl and went to her family. Two men who worked for the local drug cartel, called the Sinolas, approached Eduardo and told him his brother and the *gabacho* ran a smuggling operation. The little bald one said, "It's too bad your brother was killed." They asked Eduardo if he had the dual citizenship like his brother and he said yes. They said they wanted him to continue the business with the *gabacho*, only they would be in charge. They said he would be a drug courier—a *burrero* with a special status because of his dual citizenship, and they said he could make lots of money, maybe \$500 or more for each trip across the border. Eduardo did not want to be with the *narcos*. He was afraid he would die

like his brother. He had wanted to go to cooking school, but he soon put aside that idea and became a special *burrero* for the Sinolas cartel. He was 15.

Eduardo thought about his long ride north with the trucker, also a hired smuggler, who dropped him off in downtown Marquette with four kilos of hermetically sealed, powdered, 80 percent pure cocaine sewn into a pouch inside his backpack and eight more of the same hidden in the truck's sleeper cab that he now carried loose in a duffel bag—all of which he immediately delivered for safekeeping to a studious-looking young man named Manuel, a university student who lived alone in a house that served as a distribution center for the organization.

On the wall behind the raised bench was the great seal of the State of Michigan. On the other side of the wall, Judge Horace D. Stallworth was just sitting down at his desk. He still wore his rubber galoshes; the hand-woven scarf given to him by his daughter on his 70th birthday was wrapped loosely around his neck.

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A police radio crackled and Eduardo, who had been placed in the jury box to wait for his case to be called, was reminded of the sheriff's deputy behind him and to his left. There were attorneys in the room at the counsel tables. The prosecuting attorney sat reading a file. The courtroom door that squeaked like the lid of an old trunk began to open and close each time with a muffled bump as people filed in and the business of the court quietly got underway.

The door in the wood-paneled wall opened and a prisoner dressed in orange jail garb entered the courtroom. The jailer removed his belly chains, which made a slippery, metallic clicking sound in the high-ceilinged room. The man was gaunt with a weather-beaten face and old, about 60, with thin, long, shoulder-length gray hair. He looked directly at Eduardo,

who turned away to look out the tall windows. The prisoner was directed to the defense table where his court-appointed attorney stood reading his pre-sentence report.

Judge Stallworth entered the room from a door behind the bench and the bailiff announced, "Please remain seated. The Circuit Court of the County of Anishanabee is now in session, the Honorable Horace Stallworth presiding,"

"The matter of People versus Walter Speaker, case number 02368, this is the date and time for sentencing on a probation violation," said the clerk from her raised cubicle to the judge's right. She handed a file up to the judge. Eduardo watched the proceedings with sudden interest.

"Appearances," said the judge, and the sides entered their appearances for the record.

"Mr. Speaker," the judge said, "have you and your attorney read the pre-sentence report?"

Mr. Speaker said, "Yes, your Honor."

"Mr. Bogadon are there any changes, deletions, or additions you think should be made to the pre-sentence report?"

"No, your Honor. It appears to be accurate and we ask the court to follow the recommendation of the probation department and continue defendant's probationary sentence."

"And what do the People say?"

"Your Honor, I can't say I am in favor of the recommendation here," said the prosecutor, "but we will leave sentencing to the court's discretion."

"Mr. Speaker, is there anything you want to say before I sentence you?"

No sir, your Honor. I just ask that the court follow the recommendation that's in there.”

The judge studied the report.

“This is your third probation violation,” said the judge.

“Yes, your Honor,” said the defendant.

“First, you failed to report when you were supposed to. The second time, you tested positive for drugs and again you missed a reporting date. You were convicted of manufacturing and distributing marijuana. They found more than 100 marijuana plants you had growing in different locations. You had a previous conviction involving less than 20 marijuana plants and you got probation there, too. I gave you probation in this case and you violated twice, and this is the third time. I also ordered treatment for your addiction. Did you go?”

“I tried to, your Honor, but I had no transportation.”

This court is trying to help you deal with whatever it is that makes you think that you can continue breaking the law, and you're just snubbing your nose at the justice system because it looks like you want to pursue your criminal career as a manufacturer and distributor and user of an illicit substance. You seem to be just snubbing your nose at us, at this court. Isn't that right, Mr. Speaker?”

“No sir, your Honor. I just. You know. I just got in with the wrong kind of people. The wrong way of life. You know ... I know I've got to change the way I've been doin.' I know that now. I got my father to take care of. He's got a heart condition. He's 85 years old. My father, he needs me to take care of him.”

The judge looked at the defendant.

“The court will revoke your probation and it is the sentence of this court that you are

remanded to the Michigan Department of Corrections to serve a term of no less than four years to seven years with credit for any time served. You have the right to ask the Court of Appeals for permission to appeal your conviction of probation violation, and if you request one, an appellate attorney will be appointed for you. Hopefully, you will change your ways when you get out. Good luck to you, sir.”

The defendant looked at his court-appointed attorney, whose blank expression offered no solace. Mr. Speaker turned to the deputy and he was taken back to the lock-up.

“Next case,” announced the judge.

“People versus Eduardo Hidalgo Santiago. Here this morning for arraignment, judge,” said the clerk.

The deputy tapped Eduardo on the shoulder and he stood up. The deputy held open the swinging gate for Eduardo to exit the jury box and directed him to go stand in front of the judge.

“Are you *Ed-war-do?*” puzzled the judge as he squinted at the paper in his hand.

“Your Honor?” interrupted the prosecutor. “Your Honor, Mr. Santiago is scheduled for arraignment on a charge of felonious assault and defrauding an innkeeper.”

“Where is his attorney?” the judge asked.

“He had a court-appointed when he waived exam. He’s not made his bond, which was substantial because of his flight risk. He has dual U.S.-Mexican citizenship, but we’re going to be dismissing all charges, judge,” said the prosecuting attorney. “Mainly, the complainant has decided not to prosecute this matter and some discrepancies in the anticipated testimony regarding the actual assault have come to our attention.”

“I see,” said the judge. The judge turned to Eduardo.

“Well, Mr. Santiago, then I guess it’s your lucky day. The complainant has decided

not to prosecute this matter, and ... do you wish to make a motion, Mr. Prosecutor?"

"Yes, your Honor. Due to the complainant deciding not to prosecute this matter, the People move to dismiss."

"And no objection from the defendant, Mr. Santiago?"

"No, your Honor," said Eduardo.

"All right then. This case is dismissed. Mr. Santiago you will be free to go. But you are presently under the charge of the county sheriff's department. They will have to take you back to the holding pen and then to the jail to process you out, and you will be processed out by this morning, I expect. Please go with the deputy."

* * *

At the far end of a long bench attached to the wall of the holding cell in the courthouse basement, Walter Speaker sat staring at the floor. He looked up when the door latch clicked and the door swung open. Eduardo was directed into the room by the deputy and the door closed behind him. Eduardo carefully considered the man on the bench and went over to him and said, "You know who I am?"

Walter studied Eduardo's face.

"I'm Eduardo."

A grin spread across Walter's leathery face, which looked sickly yellowish in the florescent light, and he began to nod slowly as though he recognized Eduardo although the two had never met.

"Yeah, man. I had a hunch it might be you. I said no way, man. You was supposed to be my contact ... Eduardo. Right? You were supposed to deliver 12 kilos to me. So what happened to you, man?"

"What happened to me is I got arrested for assault at a restaurant the first night I got

into town. They said I don't pay. This big waiter tackles me out on the sidewalk. They call the cops and they find my knife, which I didn't even use, and they arrest me. So I been in jail, but today they dismissed it. Maybe I'll sue that place. They're releasing me in a little while."

Walter, stroking his chin, listened intently to Eduardo's story.

Eduardo sat down on the bench next to Walter.

Eduardo said, "I guess we still got your stuff. I won't know until I get out. But you are in here now, so ..."

Walter said, "I was ready to start making some real money with that delivery. I got a network man. I planned to make up some crack, too. I was all set up, you know? I was all ready to go when my P.O. violated me for no good reason."

Then Walter said, "Where's it at anyways?"

"Stashed in a safe place."

"I want you to deliver it to my old man. I'm gonna ask for a new hearing. I'm gonna get an appeal bond. I'm gonna call my old man soon's I can make a call. I'll tell you where he lives. We still do the deal."

"Your old man's got the money?"

"Damn straight."

"Tell me where to meet him and when."

* * *

Late the next evening in the dimly lit front room of a bungalow on a narrow side street in Marquette sat George M. Speaker. On his lap was a cheap Samsonite briefcase containing \$480,000 in well-worn bills. On top of the briefcase rested his lifeless, bony, right hand clutching a loaded Smith and Wesson 38-caliber revolver. His current state was owed

to a massive myocardial infarction causing instant death, which occurred while he nervously waited—per his son’s cryptic phone instructions from jail—in his easy chair, for the “Mexican” to appear.

Eduardo had seen many corpses over the six years he was with the drug cartel and he knew instantly as he peered through the glass of the front-porch storm door that the old man was dead. Without thinking, he entered the house, removed the briefcase, and made his escape with both the dope that was in his backpack and the money. The former he returned to Manuel and told him the deal had gone bad. Eduardo told Manuel to hide the dope and wait for further instructions from San Pedro.

Eduardo then disappeared. He found a cheap motel where he sat in his room and looked at the money piled in a small heap on the dresser and tried to figure out if there was some way he could turn what happened to his advantage or whether he would be killed by an assassin for not turning the windfall over to the organization. On the second day, he woke at the first light of dawn, went to the window, and peeked outside through the crack in the drapes. He knew he couldn’t stay in the room another day. Outside the door was a newspaper, just as there had been the previous day—compliments of the management.

Eduardo sat on the edge of the bed and browsed the articles on the front page of the newspaper. He had resolved to return to the safe house with the money and hope that he wouldn’t be killed—or worse yet—tortured for not doing so fast enough.

In the lower half of the front page an article caught his attention. It was entitled: “Elderly man, 85, Found Dead in His Home.” The article said city police officers who were investigating an open front door at a residence first thought the occupant had committed suicide when they noticed a revolver in his hand; however, there was no apparent wound and the firearm was fully loaded. Foul play was not suspected. An autopsy was planned.

Then he noticed on the same page another article that read: “Local Drug House Busted. Northern Michigan University Student Found Dead from Drug Overdose. Twelve kilos, or 26.4 pounds, of powdered cocaine of unknown purity having an estimated street value of between \$250,000 to \$500,000 confiscated by authorities. Police suspect the rented house was a ...”

Eduardo turned to the page where the article continued and was shocked when he saw an Associated Press report buried in the national section that said Pedro Sinolas, drug lord of the infamous Sinolas drug cartel, and all 16 of his top lieutenants were killed in a mass execution by rivals, and their bodies found early the previous morning in a garbage dump outside San Pedro, Mexico. The article said the feds had uncovered a possible link between the now defunct Sinolas cartel and the shooting death of an Abilene, Texas man, said to have been involved in a cocaine distribution network that stretched from the southwestern part of the United States to as far north as Wisconsin and Michigan’s Upper Peninsula. However, it was revealed by anonymous sources in the Justice Department that no further investigative resources would be devoted to the Abilene connection as authorities reasoned the operation was no longer in existence owing to the demise of the Sinolas cartel, which was its sole source of illicit drugs.

Thus, it came to pass through a series of unexpected twists of fate—including, much later, the demise of one Walter Speaker, inmate no. 76865, who succumbed at the Duane Waters Medical Center in Jackson from the effects of advanced chronic hepatitis C—that Eduardo Hidalgo Santiago, a man of dual U.S.-Mexican citizenship by virtue of a calculating mother who gave birth to successive sons at a migrant workers camp near Bay City, fulfilled his dream of going to cooking school at the Upper Peninsula Culinary Institute and opening a restaurant, as he had always dreamed of doing.

Today, if you seek authentic Mexican cuisine you could do no better than avail yourself of the fare at Santiago's Authentic Mexican Restaurant on the corner of Fielding and Main in downtown Marquette, where you would be greeted by a dark-eyed, exquisitely visaged hostess who would say to you, "Good evening. My name is Violeta," and where, in the kitchen at the stove, would be Eduardo himself stirring a pot of *salsa borracha*.