

## Book Proposal

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# **DANGER ROAD**

**A true crime story  
of murder and  
redemption**

**By John P. Contini**

*Danger Road* is the incredible true story of three drug dealers who were brutally murdered in 1983 on Danger Road in the Florida Everglades.

Lured into a phony drug deal each victim hoped would be his big retirement score, they allegedly found themselves at the business end of a gun wielded by a Miami-Dade police officer. But police and prosecutors say Officer Gilbert Fernandez Jr. and his cohorts weren't there to arrest the drug dealers. They were there to kill them and steal their eight kilos of cocaine.

*Danger Road* details the transformation of Fernandez, a former Mr. Florida bodybuilding champion and black belt in karate, who became a Christian during the intervening years between the 1983 murders and his subsequent arrest in 1990. This was no courthouse conversion. The man who was once named "Miami's Meanest Cop" had been a Christian for a year by the time of his arrest. He no longer abused and intimidated detainees and others like he did when he was a cop; he now lived to convert people to Christianity.

In spite of this radical transformation, in 1991 Fernandez found himself on trial for his life. *Danger Road* is the story of that trial, told by John P. Contini, the defense attorney who represented him.

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### **Target Audience**

Much like it is for works by John Grisham, the audience for *Danger Road* would be diverse. The book's focus on true crime and courtroom drama makes it appealing to a wide audience, not just those in the justice system. Just one indicator of the growing interest in this category is the recent popularity of crime and courtroom dramas on TV — whether fiction or non-fiction. The fact that the 24-hour Court TV station and the various CSI series exist validates the public's interest in this fascinating genre.

The nature of the defendant's transformation through his faith also will appeal to audiences that usually read titles under the "faith and values" and "inspirational" categories.



*Attorney John Contini (center) joined by attorney Louis Vernell (left) and Gil Fernandez (right)*

The following affinity groups represent just some of the potential readers for *Danger Road*:

#### **True Crime/Courtroom Drama**

*Court TV* viewers  
*Readers Digest* readers  
*Psychology Today* readers  
*Master Detective* readers  
*True Detective* readers  
*True Crime* readers  
*Murder Most Foul* readers  
Mystery Guild Book Club members  
CrimeMagazine.com readers  
CyberSleuths.com readers  
Nat'l. Assoc. of Criminal Defense Lawyers members  
*Florida Bar Journal* readers

#### **Faith and Values/Inspirational**

Chuck Colson Prison Fellowship Ministry supporters  
*Focus on the Family* listeners  
*Jay Sekulow Live* listeners  
*Truths That Transform* listeners  
Campus Crusade for Christ prison ministry supporters  
*Coral Ridge Hour* viewers  
Christian Legal Society members  
*Christianity Today* readers  
*Guidepost* readers

## About the Author



John P. Contini became a Broward County prosecutor in 1983 and has been a criminal defense attorney since 1987. He received his B.A. in 1979 from the University of Massachusetts and his Juris Doctor in 1982 from the New England School of Law. Among other professional associations, he is a member of the Florida and Massachusetts Bar Associations, the National Association of Criminal Defense Lawyers, and the Association of Trial Lawyers of America.

John has earned a reputation as an attorney who will defend the indefensible. According to him, "The criminally accused are treated like modern-day lepers. Those who are shunned and ostracized by society need our help and mercy the most. After all, we must demonstrate forgiveness if we want to be forgiven ourselves."

### **Public Appearances**

Over a 20-year period, John has been interviewed regarding criminal cases for television news shows on every South Florida news network. Video clips of some of his appearances on the news are available at his Web site, located at [www.jpcontini.com](http://www.jpcontini.com). The following are just some of his live appearances:

#### **WFTL Radio** *N. Miami Beach, Florida*

- Appeared as a regular guest on the *Steve Kane Show* each Friday morning for two years
- Appeared as a frequently invited guest of talk-show hosts Al Rantel and Joyce Kaufman

#### **WTWN TV** *Aired nationally in a variety of cable markets*

- Appeared as a regular guest on the *Steve Kane Show*

#### **"You and the Law"** *Weekly cable-TV show*

- Appeared at the invitation of host Judge Larry Korda to debate another attorney about obscenity issues

#### **Hollywood Police Department** *Hollywood, Florida*

- One of three criminal defense lawyers asked to present seminars for detectives about what to avoid when testifying or giving depositions

#### **Broward County Main Jail** *Ft. Lauderdale, Florida and Conte Jail, Pompano Beach, Florida*

- Speaker (multiple occasions)

#### **Juvenile Boot Camp** *Liberty City, Florida*

- Speaker (multiple occasions)

#### **First Baptist Church Bottom-Line Business Luncheon** *Ft. Lauderdale, Florida*

- Debated Broward County State Attorney Michael J. Satz, Mr. Contini's former employer, on issues related to the O.J. Simpson trial

#### **Christian Businessmen's Committee** *Ft. Lauderdale, Florida and Knoxville, Tennessee*

- Luncheon speaker

#### **Christian Businessmen's Committee Southeast Family Conference** *Lake Junaluska, N. Carolina*

- Conference speaker

#### **Christian Legal Society**, *Ft. Lauderdale, Florida*

- Luncheon speaker

### **Print Coverage**

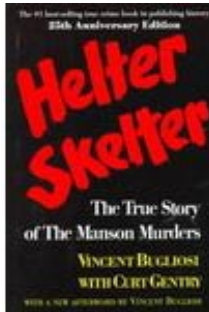
John Contini has also been mentioned and/or quoted in hundreds of articles in the following newspapers:

**USA Today**  
**Palm Beach Post**  
**Sun-Sentinel**  
**The Miami Herald**  
**The Tampa Tribune**  
**St. Petersburg Times**  
**New Times**



## Competitive Titles

Each of the following bestsellers reflect some aspect of *Danger Road*:



### **Helter Skelter**

By Vincent Bugliosi

Billed as “the #1 true crime bestseller of all time” by its publisher, *Helter Skelter* undoubtedly set the bar for true crime works. *Helter Skelter* is similar to *Danger Road* in that it provides the context for and description of the scene before, during and after the heinous murders. These details, which are described by those who saw and/or heard some aspect of the crimes, set the scene for an unforgettable account. In the same way, *Danger Road* features the results of extensive interviews, which were conducted with trial participants — including the defendant. The resulting details are incorporated throughout *Danger Road*, lending it historical accuracy and providing the readers with a fascinating read.

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### **Karla Faye Tucker Set Free: Life and Faith on Death Row**

By Linda Strom

Karla Faye Tucker's story captured the nation's attention — and created a focal point for the debate about whether it's possible for a convicted murderer to not only change but to be an inspiration to others.

In *Danger Road*, defendant Gil Fernandez experiences the same conversion that made Karla Faye Tucker's story so compelling and uplifting. Except in the case of Fernandez, he became a Christian before he was arrested, leaving less doubt about the sincerity of his transformation. His story picks up where Karla's left off, giving society another chance to examine how and why transformation is possible and why forgiveness can be justified.

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### **The Firm**

By John Grisham

Although Grisham's works are fiction, in real life he shares a similar background to John Contini: Both are criminal defense attorneys.

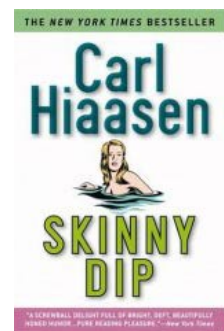
In *The Firm*, Grisham gives an inside glimpse into the life of the story's protagonist, attorney Mitch McDeere. In the same way, *Danger Road* gives the readers a view into John Contini's life at the time of the Gil Fernandez trial. And much the same as McDeere discovered there was a dark underbelly to the legal profession; John found malfeasance was rampant in many aspects of the headline-grabbing Fernandez trial.

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### **Skinny Dip**

By Carl Hiaasen

Although another work of fiction, Hiaasen's *Skinny Dip* has parallels with *Danger Road*. As a columnist for *The Miami Herald*, Hiaasen uses South Florida — and its political infrastructure and players — as a backdrop for *Skinny Dip*. John Contini also gives the readers a tour of South Florida, from the restaurants where he drank and strategized the trial; to the colorful and sometimes strange locals who figure prominently in the story; to Broward County courtroom 970, where the main action in the book takes place.



## **Marketing and Promotion**

John Contini has retained the public relations firm of WDC Media, which has already begun efforts to promote him and the book. As the result of a teaser release they sent to several major news outlets, it was determined that *The Washington Post* and several other newspapers were interested in covering the book.

As an example of the public interest in the story, a reporter for the South Florida *New Times* approached John independently to inquire about writing a story covering the trial and his relationship with Gil Fernandez. This resulted in a two-part, front-page article, entitled, "Muscles, Murder and a Messiah," which ran in January 2006.

John also has extensive online and print press kits, which include newspaper clippings from some of his more prominent cases.

## **Blurbs**

The following people have agreed to provide blurbs for *Danger Road*:

**Judge Steven Deluca** *County Court Judge, Broward County, Florida*

**Judge Fred Horowitz** *Circuit Court Judge, Broward County, Florida*

**Judge Stanton Kaplan** *Circuit Court Judge, Broward County, Florida*

**Frank Carbone** *Past President of the Florida Polygraph Association*

**Detective Frank Miller** *Detective Sergeant, Fort Lauderdale Police Department*

## **Media and Speaking Appearances**

John is willing and able to speak in a variety of venues. Potential media and speaking opportunities include:

**WFTL Radio** *N. Miami Beach, Florida*

**WTWN TV**

**Comcast Cable shows**, via Nick Lawrence, producer of the Steve Kane Show

**Over 600 South Florida churches**, included in an existing mailing list

## **Serialization**

The last chapter of *Danger Road*, entitled "Union," would be suitable for serialization. Its focus on the debate about whether God forgives us for heinous acts and whether society should follow suit, and would be a compelling excerpt. The "Letters from Gil" and "Photo Gallery" chapters could also be featured individually, together or in combination with the final chapter.

This material could potentially be featured in the following magazines and newspapers:

### **Secular**

*Reader's Digest*

*Psychology Today*

*The Washington Post*

*The Palm Beach Post*

*Sun-Sentinel*

*The Miami Herald*

*New Times*

*USA Today*

### **Faith-oriented**

*Christianity Today*

*Today's Christian Woman*

*Campus Life's Ignite Your Life*

*Men of Integrity*

*Leadership*

*Books and Culture: A Christian Review*

*Christian History*

## **Other Works by John Contini**

John Contini has written many short stories based on his cases. Each would be an excellent candidate for expansion to a larger work. These stories include:

### **Marijuana and the Mohawks**

John encounters an ex-nun, a federal fugitive, the Royal Canadian Mounted Police and the Mohawk Indians in this rousing true tale that takes him deep into Canadian Indian country.

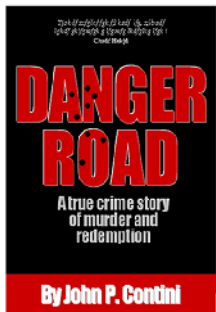
### **Living in the Shadow of the Electric Chair**

John saves falsely accused Willie Brown from the electric chair by conducting a live line-up, during which every witness identifies someone *other* than Brown as the murderer.

### **The Good Ol' Boys Round Up**

When officer Don McCawley was fired for putting on an allegedly racist skit at an off-duty police rally, John stepped in. Proving how easy it is for others to play "the race card," John pushed past all the rhetoric to get McCawley reinstated — but not without ruffling some feathers first.

## Detailed Table of Contents



### **Chapter 1: Brain Cells**

It's April Fools Day 1983 and John Contini is just out of law school. Whiling away his time as he waits for the bar exam, he sits in a beach bar on the famous Fort Lauderdale strip, drinking and flirting. While he has a good time, just a few miles away in Miami three men are being murdered. Little did John know at the time that seven years later he would be asked to defend the ex-cop, bodybuilder and supposed Mafia soldier who would be alleged to be the murderer.

### **Chapter 2: Birth and Death**

On July 4, 1990, we join defense attorney Contini in Miami Baptist Hospital, where his wife has just given birth to his first child, a daughter. John decides to buy a copy of *The Miami Herald* to memorialize his daughter's birth. When he gets the paper from the rack in the hospital lobby, he discovers that a photo of newly arrested Gilbert Fernandez, Jr. and a description of his gruesome alleged crimes have "ruined" the paper's cover.

John returned from the hospital and received a call from Fernandez's father. Gil Fernandez, Sr. was looking for a Christian attorney to represent his son. Gil Jr. had converted to Christianity a year before his arrest and wanted his entire life to focus on God — in spite of whatever he was accused of doing in the past. Not daunted by being a Christian in name only, John lied about the extent of his faith to the family when he met them in their home to discuss the case. His deception worked and he was given the job.

### **Chapter 3: Operation Muscle**

John and his investigators research the Fernandez case. They discover that law enforcement had been targeting Gil Fernandez for years, waiting to gather enough evidence for an indictment. The investigation was so comprehensive, the Broward Sheriff's Office Organized Crime Division even gave it a name: "Operation Muscle." Through reading police reports and conducting interviews, John and his investigators discover that the allegations against Fernandez are far-reaching and complex. Bodybuilder Fernandez was accused of everything from shooting steroids to murdering 11 people, including the three he was actually arrested for killing.

A lot of people stepped forward to say bad things about Fernandez. But others had a completely different view. Their descriptions of the defendant as a loving friend, father and husband, and devout Christian were in sharp contrast to the relentless news reports that made him seem like a monster.



*Gil Fernandez in 1989, when he competed in the Mr. Florida bodybuilding championship*

### **Chapter 4: Armed and Dangerous**

John meets Gil Fernandez for the first time in the Fort Lauderdale jail. A passionate man of faith since 11 months before his arrest, Gil grabs John's hands and prays with him in front of other inmates, defense attorneys and jail guards. John squirms and looks around, hoping no one will notice this overt display of faith.

John asks Gil to talk about his arrest. He responds by describing the helicopters and multiple police cars that were used to track him down as he drove down the street in his beat-up '76 car. Although Fernandez immediately sunk to his knees in the street and surrendered when he was pulled over, there were shotguns and machine guns aimed at his face, right up until he was handcuffed and put in a police cruiser.

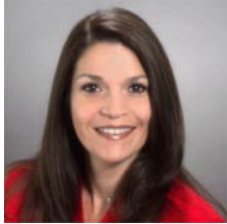
Gil goes on to tell John about some evidence that might be used against him. In an effort to positively influence kids in his community, Gil had given sermons at local churches that described his past "rabid dog" behavior. John knew immediately that this evidence could do real damage to his new client.

### **Chapter 5: The Bond Hearing**

A bond hearing is held to determine whether Gil Fernandez could be released from jail, pending trial. Most convicted murderers, especially those with alleged mob connections, would be denied bail. Even though

that was the expected result, John used the bail hearing as a means to extract advance “discovery” from the prosecutors — information he wouldn’t have otherwise obtained until much later in the trial.

We meet Cora Cisneros, who is the prosecutor assigned to handle the bond hearing. She’s not only attractive and passionate about the case; she also disdains John Contini. Their rivalry is played out in front of the many TV cameras present in the courtroom. Cora’s contempt for John only increases when John deflects her attempts to mock him and turns the tables on her, causing her double humiliation: once in the courtroom and then again on the evening news.



*Cora Cisneros today*

We also meet Judge Tyson, who could best be described as cranky. He presides over the proceedings in which John brings forth a variety of witnesses who speak in Gil’s favor. In spite of this and the fact that there is no forensic or physical evidence, bond is denied.

### **Chapter 6: Speedy Trial, My A\*\***

Before jury selection for the trial begins, John files a variety of motions on Gil’s behalf. The case is almost dismissed due to John’s motion that Gil’s right to a speedy trial within 60 days had been violated. In spite of the motion’s obvious merits, however, Judge Tyson denied it. Not to be thwarted, John files another motion at 175 days, with the same results. As a result, he took the issue all the way to the Florida Supreme Court, which also turned him down.

While these battles were being waged, John also files a motion to have the tapes police made of Gil’s pulpit confessions excluded from evidence. After a tense wait, this motion is granted because John had successfully argued that the confessions made weren’t specific enough.

### **Chapter 7: More Victims**

In an effort to halt the unrelenting media coverage that is poisoning the pool of jury candidates, John files motions to muzzle the press. This had the opposite effect, as the media made a great show out of defending against John’s attempts to thwart what they call “the public’s sacrosanct right to know.” It didn’t matter that the allegations, which accuse Gil Fernandez of killing up to eight other people, are unproven; the media reps demanded the right to print or say anything they wanted — anything that would sell advertising on TV or in the newspapers. A cadre of attorneys hired by the media outlets were brought on board, led by Ray Ferrero, attorney for the Chicago Tribune-owned *Sun-Sentinel*. Eventually, the attorneys argued successfully that a gag order should not be put in place. Judge Tyson *did* ask the media reps to voluntarily stop publishing these details but his request went largely ignored.

Simultaneous with this battle to stop the presses, John also fought to prevent the unproven allegations from being mentioned during the trial. This battle he won.

### **Chapter 8: Motion Sickness**

John files a motion to have the case thrown out because there are issues related to which entity actually had the jurisdiction to try the case. In John’s view, the Office of Statewide Prosecution, which brought the case to trial, didn’t have requisite jurisdiction. But the judge disagrees, so the trial goes on. John also argues to have the wooden “skirt” that surrounds the defendants’ table removed so the jurors wouldn’t assume it was there to hide the shackles the defendants’ were forced to wear. He additionally argues that Gil Fernandez should be able to attend his own depositions. John contends that he needs Gil to assist him with questioning. But the real reason is that he knows deponents would clam up when giving testimony in front of Gil. This tactical move didn’t work and the judge denies his motion.

### **Chapter 9: Let the Games Begin**

It’s now spring 1991 and the parties gather in courtroom 970 to begin jury selection. We meet the three prosecutors who will argue the case: Jim Lewis, Doug Molloy and Cindy Imperato. Gil is offered a deal by the prosecutors, through which he can assure that he’ll be spared the death penalty. The only problem is that he has to testify against Bert Christie, who has been charged as the mastermind of the murders. Gil refuses. John later finds out that the prosecutors had also offered the same deal to Christie, who also refused.



*Former prosecutor Cynthia Imperato is now a Broward Circuit Court judge*

The prosecutors reveal that they have a new witness, Paul Combs, who is supposed to have heard the victims incriminate Fernandez before their murders. This last-minute witness is in addition to the state's star witness, Michael Carbone, who supposedly participated in the murders. Carbone "flipped" on Fernandez and Christie, after entering the federal witness protection program. Unlike Carbone, who gave law enforcement compelling evidence he was at the crime scene, Combs' testimony would be "rank hearsay" or "dead men's talk," which couldn't be refuted during trial because the people from whom he allegedly heard it — the victims — were dead.

### **Chapter 10: Battle Ready**

The courtroom is not only teeming with spectators and the media, there is an unprecedented show of force. SWAT team members and sheriff's deputies fill the room, and there are two plainclothes detectives with large handguns hidden inside their suit coats. This atmosphere of danger extended beyond the courtroom when John received telephone death threats. As a precaution, two burly friends volunteered to be his impromptu bodyguards, developing a plan to protect John as he comes and goes from court every day.

We get to know defendant Bert Christie, his family and his attorney, Louis "Louie" Vernell. Judge Tyson gets angry with Vernell when he is late to trial — again. Tyson erupted when Vernell finally arrived, dragging behind him the aged, loudly squeaking cart that carries his trial cases. After Tyson blew a gasket at Vernell, he finally calms down and jury selection begins.

### **Chapter 11: Voir Dire**

John explains the real motivation behind jury selection. Although most people think attorneys want a jury of their clients' peers, what they really want are jury members who will vote as the attorneys want them to. In the case of *Fernandez v. State of Florida*, it's doubtful there would be a jury of Gil's peers or that they would vote as John wants because of the amount of advance negative publicity the case has received. As jury selection begins, inevitable questions regarding attitudes about the death penalty surface, causing jurors — and the readers — to think hard about how they feel about this contentious issue.

### **Chapter 12: Tedium and Excitement**

When trying to pick a jury, there are seemingly endless questions that have to be asked, many of them mundane. There also are many juror candidates smart enough to choose from a litany of excuses to make sure they're excused and don't have to sit on a long trial. And then there are those who would like to serve but who have to be eliminated. Such was the case of Joel Kaplan, who attended church with Gil before he was arrested. Although he pledges to keep an open mind, he admits he would never be able to vote for the death penalty, based on his religious beliefs. As a result, the prosecutors ask for his dismissal and the judge agrees.

During jury selection, John's son Johnny is born, joining his sister Kathleen who is only 11 months old. The presence of these two small children in John's life makes him hyper-aware of his client's plight: Gil has two small children at home, too. If John doesn't do his job, these children could lose their father forever.

### **Chapter 13: Trial and Tribulation**

During jury selection, the court's media representative taunts juror candidates with tales of being sequestered for six to eight weeks. When John finds out, he petitions the judge to dismiss the entire panel of 60 candidates. Judge Tyson refuses, in one of many moves that John perceives as the judge's bias toward the prosecution.

Louie Vernell is late once again, eliciting predictable rage from the judge. After being yelled at by Tyson, Louie defends himself by saying he isn't being paid enough by Bert Christie and that he has to take other work to support himself, causing him to be late. After a stern lecture, Tyson eventually grants Louie the title of Special Public Defender, so he can officially receive payment from the state for representing Christie. Although this move is highly improper on the judge's part, he looks at it as an investment in the trial. Now, if Louie is late again, he won't have an excuse.

### **Chapter 14: I'm Not a Witness**

Someone leaves hateful notes and newspaper clippings about the trial in the ladies room, causing Tyson to have to dismiss an entire panel of 60 jurors. The same morning, Prosecutor Jim Lewis requests that Gil's wife Marianela be excluded from the courtroom during jury selection because she is a potential witness. John

fights back, saying that the prosecutors promised Marianela when she gave her deposition that she wouldn't be excluded from the trial. Then, she asks the judge if she can address the court. She states that she would *not* testify, even if subpoenaed. Unmoved by their arguments, Judge Tyson ejects Mrs. Fernandez from the courtroom for the rest of jury selection.

Jury selection is finally completed, after an unbelievable 316 prospective jurors were questioned over the course of five weeks. The case still holds the record for the longest jury selection proceedings in the history of Broward County.



*Gil and his wife Marianela in 1983*

### **Chapter 15: The Carbone Factor**

Cindy Imperato, the least experienced of all the prosecutors, gives the state's opening statement. Holding tight to the podium, she wins the jury over with her humble style. Next up will be the state's star witness, five-time felon Michael Carbone, who secured complete immunity by revealing details to police that could only be known by someone who was present at the murders. He identified the exact location of the bodies, how they were bound and gagged, the color and texture of the cloth used for the gags, the manner of death for each victim, and the colors of their T-shirts. He even gave them the eerily prophetic words on the black T-shirt that victim Dickie Robertson wore with his Sergio Valente jeans: "Eat S\*\*\* and Die."

### **Chapter 16: The Dirt Bag**

Carbone takes the stand, revealing crime details that have been withheld from the readers until now. He describes the well-planned attack on three drug dealers that took place on April Fools Day 1983. Starting with details about the many hours that the victims were held at gunpoint before they were driven out to Danger Road, he went on to paint a grisly picture of how the men died: The blind-folded men were marched out to the edge of a canal, where one by one, they were shot and left in the water. Crying could be heard throughout the courtroom as he finished his description of the murders: "Then, I heard another shot. The splashing stopped. I didn't hear anything after that."

After trial is over for the day, prosecutor Jim Lewis tells John in the hallway that he could see Gil Fernandez following along with the crime details in his head as Carbone described them. He tells John: "Your client's guilty, Contini."

### **Chapter 17: Cross**

After preparing index cards that listed the discrepancies between Carbone's Grand Jury testimony and his many other depositions and sworn statements, John approaches Carbone to cross-examine him. From the gate, he gets into Carbone's face, challenging him on every aspect of his testimony. With lightening speed, he uses the index cards to call Carbone on the many times he changed his story. He has the jury laughing at Carbone because he knows "laughing juries don't convict."

### **Chapter 18: Everyone Lies**

John continues to go after Carbone, making the jury aware that he had been intimate with the sister of one of the victims. When Carbone admits that he felt bad about deceiving her about being present at her brother's death, John walks over to the judge's table, grabs a tissue out of a box and hands it to Carbone, saying, "Oh, you felt bad? Do you want one of these?"

John continues to badger Carbone about his lack of integrity until the judge calls an end to the assault with a sidebar. John decides that the best defense is a good offense and erupts at the judge as soon as the jury is out of the room. He tells him that he feels the judge is swaying the trial in favor of the prosecution and that he wants a mistrial. Tyson denies John's mistrial motion but it causes his behavior to be a little more circumspect toward the defense.

As John's cross of Carbone continues, he goes over each of the discrepancies in Carbone's testimony in detail. When he was through, everyone in the courtroom could tell that the jury had no respect for Carbone.



### **Chapter 19: Going South**

John, Louie and friends celebrate Carbone's decimation at a bar on Las Olas in Fort Lauderdale. Although Louie was quick-witted when it came to the cocktail waitresses, he wasn't anywhere near as sharp the next day when it was his turn to cross Carbone. Once a capable attorney, Louie was now a little past his prime. While John watched in horror, Louie's cross-examination went south, undoing all the damage John had done to Carbone's credibility the day before. But John wasn't giving in; he knew there were still more state-sponsored felons to cross-examine tomorrow.

### **Chapter 20: Combs**

Convicted felon Paul Combs was alleged to have fronted the money for the eight-kilo drug deal that preceded the murders. He was set to testify that he heard victim Dickie Robertson mention Gil's name in connection with the deal. John confronts prosecutor Lewis in the hallway, accusing him of subornation of perjury, or coaching Combs to give perjured testimony. Dismissing John's remarks, Jim reminds him that Tyson had already ruled to allow the testimony, so there was nothing anyone could do about it.

After Combs testifies, John uses his cross-examination to sully Combs' reputation with the jury. John informs them that Combs is a convicted felon who agreed to testify only after receiving immunity for alleged federal parole violations and for providing the drugs for the deal that preceded the murders. He also points out that Combs has done the "professional witness thing" before. Yet, when John asks Combs why he decided to testify at the last minute, he responds, "I didn't want to get involved."

### **Chapter 21: Mrs. Immunity**

After Combs was through "testifying," it was Rebecca Carbone's turn. She was Michael Carbone's wife in 1983 and was called to recount the story he told her when he came home on the night of the murders. A Ma Barker caricature of a wise guy's wife, Rebecca resisted John's attempts to elicit information from her. John verbally pushed her back, creating such oratorical fireworks between them that Judge Tyson had to squelch the hooting and laughter that came from the spectators.

After John finished with Rebecca, Louie cross-examined her on Bert Christie's behalf, igniting an already incendiary situation. The courtroom erupts in gales of laughter and prosecutor Doug Molloy calls for a motion to clear the courtroom, when Louie says, "Mrs. Carbone, do you think your ex-husband's pathological lying has rubbed off on you?"

### **Chapter 22: Kid Gloves**

In contrast to his rough treatment of Rebecca Carbone, John had to be very careful with the next witness: Linda Allard. As the girlfriend of victim Dickie Robertson and the mother of his child, she had to be handled with the utmost respect.

She had told police years before that when Dickie didn't come home after the drug deal, Combs put a gun to her head and asked her where he could find him. Combs thought Dickie had ripped him off for the cocaine he fronted him; yet, this was indirect opposition to the story he told on the stand. After all, if he knew the drug deal was being done with a "bodybuilder from Hollywood, named Gil," as he testified, he wouldn't have held a gun to Linda Allard's head and asked her where Dickie was. Combs would have instead been out looking for a guy named Gil. Because of this, Linda was key to John's assertion that Paul Combs was lying.

### **Chapter 23: The Witness Parade**

Although the witness list originally held 180 names, by the time the trial started, it was whittled down to about 20. After the fireworks of the testimony from Michael and Rebecca Carbone, Paul Combs, and Linda Allard, there also was a parade of ancillary witnesses, each providing small pieces of the puzzle — some for the defense and some for the prosecution. From the good ole boy who found the dead bodies when he was ATV-ing with friends, to the forensic team, to another immunized felon — who just happened to be Paul Combs' cousin — the witness stand was like a revolving door.

### **Chapter 24: Channel Switching**

As the trial continues, John becomes increasingly concerned about the jurors' cozy relationship with the judge. Allowed to have lunch in the judge's chambers and even play with the toys Tyson's children left in

his office, John is afraid that the jurors are being unduly influenced by what he feels is Tyson's bias toward the prosecution.

With Gil's life literally on the line, it's now time for John to mount his closing argument. Likening the prosecution's offers of immunity to prizes offered to contestants on the game shows, *The Price is Right* and *Let's Make a Deal*, he invites the convicted felons to "come on down!" Recounting for the jury all the discrepancies in the case, he goes on for over an hour. He points out that the case has all three elements that cause reasonable doubt: *lack of evidence, conflicts in the evidence and the evidence itself.*

### **Chapter 25: Plots Hatched in Hell**

The prosecution now has its turn to give closing arguments. In an illegal maneuver, Judge Tyson allows both Molloy and Lewis to make final statements. Both went over the gory details of the murders, eliciting tears from the audience and sympathy from the jury. Then, countering John's assertions that the prosecution's case was built on a foundation of purchased testimony from convicted felons, Jim Lewis closes the trial by saying, "I'm not the first one to say this, but it's *never* been more true: You can't expect angels as witnesses to plots hatched in hell."

As the jury deliberated for three days, John sits across the street from the courthouse at a sidewalk cafe, drinking coffee in the humid mid-August heat. All he could do when friends drove by, honking and asking about the verdict, was to shrug his shoulders. He had to wait like everyone else.

### **Chapter 26: The Verdicts**

John's cell phone rings and he races back to the courthouse. When the verdicts are announced, he's in for a shock: "We the jury, in the case of the *State of Florida v. Gilbert Fernandez*, find the Defendant is Guilty of First Degree Murder, *without* a firearm."

His mind explodes as he tries to understand the verdict. He asks, "How could Gil be convicted of killing three men by shooting them *without* a firearm?" A good question indeed. Dazed from the loss, John and one of his friend-bodyguards hit the bar to drown their disappointment in red wine. When John's wife, Elizabeth, calls to hear the verdict, John is so distraught; he can't even pick up the phone.

### **Chapter 27: Life or Death**

John knows that if he can't convince the jury and judge to grant a life sentence, Gil would have to wait on death row for years before he is finally led to the electric chair. The thought of this wait and the effect his ultimate death would have on Gil's children — and on his attorney — keeps John up at night. More resolved than ever, during the penalty phase, John brings forth 17 witnesses who testify to Gil's transformation. There are several jail guards who testify that Gil not only leads Bible studies and prayer groups in jail, he even holds hands and prays with AIDS patients, which no one else would do at the time. Deputies also testified that Gil saved the life of his cellmate who tried to hang himself.

Prosecutor Jim Lewis then gives his argument why Fernandez should be put to death. Playing on the biblical theme established by John and the witnesses, Jim finishes by telling the jury, "You can wash away your sins; but you can't wash away these murders." Then, as John presents his final argument, he imitates Gil's small son Gillie. Using a child's voice, he pulls on the jury's heartstrings by saying, "Mommy, why did daddy die in the electric chair?" A calculated tear runs down his cheek as he watches the juror's eyes water, too. Then he begs the jury to let Gil's fire to help other people burn in the right place — in prison for the rest of his life.



### **Chapter 28: Sentences**

The jury returns its sentencing recommendation, which the judge will consider when the court eventually hands down the final sentences. A month later, the judge agrees with the jury's sentence and passes the sentencing recommendation to Beth Kessler, the court clerk, who reads it aloud to the courtroom: "Count I, the jury advises and recommends to the court that it impose a sentence of life imprisonment upon Gilbert Fernandez, without possibility of parole for 25 years." The same verdict was returned in all three counts.

Now all that was left was for Tyson to rule whether the sentences would be concurrent or consecutive. He ruled that they would

be consecutive, resulting in a mandatory sentence of 74 years (factoring in one year's credit for time served) before Gil would be eligible for parole. Although he felt defeated, even John had to admit that a 25-year concurrent sentence for three murders — which would result in Gil serving only a little over eight years for each death — was inadequate. Human lives are worth a whole lot more than that, by anyone's standards.

### **Chapter 29: Union**

Twelve years after the verdicts, John goes to visit Gil at Union Correctional Institution in Raiford, Florida. Although they had been communicating through letters for years, John never had an opportunity to apologize to Gil for lying to him about the extent of his faith, just so he could get the case. When John 'fesses up, Gil immediately forgives him.

Released from this guilt that had haunted him for 12 years, John then begins a discussion with Gil about whether he has anything he'd like to tell him that would give the victims' families any comfort. Assuming he was guilty, was he willing to address the crimes for which he was convicted — even if it meant giving up his final appeal? As John and Gil discuss this, finally building to the point when Gil is about to answer, a guard comes in abruptly, saying the visit is over. Gil, a model prisoner, has no choice but to follow the guard's instructions and leave. As he does, he says, "Be blessed, John. I love you. And so does Jesus." Then, he smiles. John could tell from his look that Gil knew, like John did, that John would be back. This conversation wasn't over.

*Addendums:*

### **Epilogue**

The Epilogue provides updates on *Danger Road's* main characters, 15 years after the trial. These fascinating glimpses into the characters lives today resulted from the extensive research conducted for this book.

### **Letters to Gil**

John Contini has been corresponding with Gil Fernandez since the trial in 1991 and this section features some of those letters. They give a unique view into the mind of someone who has been convicted of three murders. And they're not what you'd expect; these letters are filled with encouragement and inspiration.

### **The Final Appeal**

After exhausting seven state and federal appeals, realistically, defendant Gil Fernandez has only one more appeal left. This brief addendum chapter allows the reader to view the final appeal process — and its potential for results — through the defendant's eyes. The chapter also gives a glimpse into Gil's life in prison and reveals his surprisingly upbeat view of his circumstances.

### **Photo Gallery**

The Photo Gallery contains an array of photos related to the Fernandez case. From images of a 1983 birthday party for Bert Christie that shows Gil and Bert in their prime, to photos inside the courtroom in 1991, to the latest picture of Gil, taken from the Florida Department of Corrections Web site, the collection allows readers to feel like they are part of the case.