

The First Two Pages: “Buds” by Kevin Egan
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An Essay by Kevin Egan

“Buds” opens during jury deliberations in a celebrity trial pitting a popular recording artist against her ex-boyfriend/ex-manager. As in most of my 21 stories set in the New York County Courthouse, the main character is Foxx, a court officer who doubles as an undercover agent for the Inspector General. In this side hustle of sorts, Foxx tracks down and resolves extra-legal shenanigans within the iconic courthouse. “Buds” is significantly shorter than the other stories in the series (3600 words), and, unlike any of the others, it starts *in medias res*. This structure required a careful set-up in the first two pages by hinting at dynamics that will inform critical elements of the story.

The opening paragraph describes the courtroom through Foxx’s eyes:

Foxx sat in the empty jury box, dividing his attention between the *Daily News* racing page and the characters scattered around the courtroom. Nattily dressed Duke Casale and SCO Ray McCaffery sat at one end of counsels’ table, dealing out endless hands of gin rummy. The regal Shiona sat at the opposite end, swiping her phone while SCO Hilly Blitzer hovered at her shoulder, his head bobbing to a song playing in his ear buds. The two opposing legal teams took turns pacing along the gallery rail and occasionally pairing off to discuss whatever lawyers discussed while a jury determined their clients’ fates. In the gallery, the couple dozen star-struck adolescents lucky enough to snag seats at the start of the day’s proceedings whispered and fidgeted.

In one respect, this scene is a standard snapshot of a courtroom during jury deliberations: the litigants, lawyers, court staff, and spectators occupy themselves as best they can while waiting for the verdict. But beneath the genteel hush, there are two camps at war here, which is why both sides requested separate security details at the start of the trial. Ray McCaffery, later described as a rakish ladies man, has been assigned to guard the “nattily dressed” Duke Casale. The two men have bonded during the trial and spent these idle hours “dealing out endless hands of gin rummy.” Meanwhile, Hilly Blitzer, later portrayed as a nerdy loner, “hovered” at the “regal” Shiona’s shoulder, his head bobbing to a song playing in his ear buds. The word choice in this sentence is important. Shiona is “regal” in that she is stately, imposing, and perhaps even grandiose. Hilly “hovered” in the sense of being near someone and nervously waiting for her attention. This sentence also includes the first offhand mention of the “buds” that will become a critical element in Foxx’s investigation.

Other details reinforce the bad blood between the two litigants. Duke and Shiona, along with their assigned guards, sit at opposite ends of the counsels’ table. The two legal teams, who would at least act professionally cordial to each other at this late stage of a lengthy trial, do not interact but take turns pacing along the gallery rail. Then something happens.

Suddenly, a buzz jolted the courtroom. Duke and Ray folded their hands. Shiona dropped her phone and groped for Hilly's wrist. The lawyers stopped pacing. The gallery froze.

The buzzer is the jury signaling . . . what? A question for the judge? A request for a read-back of testimony? News of a verdict? No one knows, but everyone reacts. Duke and Ray fold their rummy hands. The lawyers stop pacing. Foxx, who misses nothing, notices one particularly subtle reaction: Shiona groping for Hilly's wrist. But if Foxx has any concerns about a burgeoning but unlikely relationship between Hilly and Shiona, he has no time to consider the implications.

Foxx, the sole person in the courtroom obligated to react, calmly closed his newspaper and exited the courtroom through the jury entry door. Half a flight up, the jury room door opened just enough for a hand to reach out with an envelope.

Foxx descended the stairs and, rather than enter the courtroom, barged into the robing room where Judge Bauman – Boomerang Betty, as she was known for her head-spinning changes of mind – whispered into her phone. She cut the call at the intrusion and stared daggers over her half-glasses.

“Jury note,” said Foxx.

The judge instantly relaxed. She took the envelope from Foxx's hand and tore it open.

“Get me the lawyers,” she said.

Foxx opened the courtroom door. The lawyers snapped to attention.

“Jury note,” said Foxx.

All six lawyers filed into the robing room and arranged themselves in a semi-circle in front of the judge's desk.

“The jury has reached a verdict,” said Judge Bauman. She let the news sink in for a moment. “So it's now or never. Are you going to settle this mishegoss of a case or do you still insist on rolling the dice?”

This last sentence asks the critical question that drives the story. Will the litigants settle their case or abide by the jury's verdict? At this point, the narrative flashes back to the beginning of the trial and Captain Kearney's decision to assign Foxx, Ray, and Hilly to the security details. Here also begins the development of the principal characters—Hilly in particular—that is hinted in the first two pages. As the trial progresses, Hilly evolves from a shy court officer to the lovesick errand boy hovering at Shiona's shoulder when the jury room buzzer sounds. Everyone has noticed Hilly's doting attention: the judge, Captain Kearney, several of the court officers in the courthouse, and, of course, Foxx. It starts with Hilly fetching food for Shiona at the start of the lunchtime recesses. It progresses to him joining her for lunch in an empty office. But when Hilly begins wearing ear buds so, he says, he can listen to Shiona's music, Foxx intervenes. He gives Hilly stern advice—about ethics, about appearances, and, rather gingerly, about the unlikelihood of any relationship with Shiona continuing beyond the trial. Hilly denies anything is going on.

And then the story picks up where it left off at the end of page 2—with news that the jury has reached a verdict. The judge is delighted when Duke and Shiona respond to her ultimatum and settle the case. But Foxx suspects that something about the settlement is “off.” He has seen no sign that either of these two litigants, after squabbling for so long over so much money, ever would agree to a settlement.

The terms of the settlement are confidential, which only raises Foxx's suspicion.

That night, he combs the empty deliberating room and finds a tiny piece of physical evidence. Without even knowing the verdict, he is certain he knows which side capitulated.

Days later, a final bittersweet conversation occurs between Foxx and the newly retired Hilly, who sits on a park bench with suitcase in hand and waits for the limousine he believes Shiona has sent to collect him. Foxx confronts Hilly with the evidence. Hilly stays silent, neither admitting nor denying his obvious complicity. Minutes drag by, and the limousine does not arrive. Finally, Hilly realizes how badly Shiona has played him, and Foxx has uncovered another courthouse secret he will bury forever.

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Kevin Egan is the author of 50 short stories, 24 of which have appeared in *AHMM*. He is also the author of eight novels, including the noir-ish legal thriller *Midnight*, a Kirkus Reviews Best Book of 2013. Visit his website at www.kevinjeganfiction.com.