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# BRAD MELTZER

**THE TENTH JUSTICE**



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*Dead Even*

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**THE TENTH  
JUSTICE**

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**BRAD MELTZER**



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*The characters and events in this book are fictitious. Any similarity to real persons, living or dead, is coincidental and not intended by the author.*

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For Cori,  
who changed my life  
the moment she entered it

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In a capital full of classified matters, and full of leaks, the Court keeps private matters private. Reporters may speculate; but details of discussion are never disclosed, and the vote is revealed only when a decision is announced.

—THE SUPREME COURT HISTORICAL SOCIETY  
*Equal Justice Under Law*

Five votes can do anything around here.

—WILLIAM BRENNAN  
Supreme Court Justice



# Chapter 1

BEN ADDISON WAS SWEATING. LIKE A PIG.

And it wasn't supposed to be this way.

In the past three hours, Ben had read the current issues of *The Washington Post*, *The New York Times*, *Law Week*, and *Legal Times*. Last night, before going to bed, he'd committed to memory every major Supreme Court case from the previous session. He'd also made a list of every Supreme Court opinion Justice Mason Hollis had ever written, and, to be safe, he'd reread Hollis's biography. No matter what the subject, Ben was convinced he was prepared for any topic Justice Hollis might raise. In his briefcase, he had packed two legal pads, four pens, two pencils, a pocket legal dictionary, a pocket thesaurus, and—since he'd heard that Supreme Court clerks typically work straight through lunch—a turkey sandwich. Without question, Ben Addison was ready.

But he was still sweating. Like a pig.

As he stood outside the Supreme Court, a half hour early for his first day on the job, he was entranced by the gleaming white columns of the nation's highest court. This is it, he thought, taking a deep breath. It's finally here. Running his hand through his recently cut brown hair, Ben climbed the wide marble stairs. He counted each step, in case Justice Hollis was curious how many stairs there were. Forty-four, he told himself, filing the information on a mental index card.

Ben dragged open the heavy bronze doors and entered the building. A security guard who sat next to a metal detector said, “Can I help you?”

“I’m Ben Addison. I’m here to clerk.”

The guard found Ben’s name on his clipboard. “Orientation doesn’t start for another half hour.”

“I like to be early,” Ben said with a smile.

“Right.” The guard rolled his eyes. “Go straight down the hall and make your first left. It’s the first door on your right.”

Lined with marble busts of past chief justices, the stark white Great Hall was as impressive as Ben had remembered. A sly smile lifted his cheeks as he passed each sculpture. “Hello, Supreme Court,” he whispered to himself. “Hello, Ben,” he answered.

Ben pulled open the large wooden door, expecting to see an empty room. Instead, he saw eight other law clerks. “Brown-nosers,” he muttered to himself as he sat down in the only empty chair.

As inconspicuously as possible, Ben sized up his new colleagues. He recognized three of the eight clerks. On his far right was a well-dressed man with stylish, tortoiseshell-rimmed glasses who had been the articles editor of the *Stanford Law Review*. To his left was a tall black woman who was the former editor in chief of the *Harvard Law Review*. Ben had met both of them at a national Law Review conference at Yale. As Ben recalled, the Stanford man was a former reporter for the *Los Angeles Times*, while the Harvard woman used to be an Old Masters expert for Sotheby’s. Angela was her name. Angela P-something. Finally, seated next to Ben was Joel Westman, a fellow classmate from Yale Law. A political analyst, Joel had spent his pre-law school years as a White House speechwriter. Nice résumés, Ben thought. Struggling to appear casual, he smiled and gave friendly nods to all three clerks; they nodded back.

Ben nervously tapped his foot against the plush carpet. Don’t worry, he told himself. It’ll be fine. You’re as smart as anyone else. But as well-