

My Side of the Matter

Hilary Davidson

Copyright © 2017 Hilary Davidson

Reprinted with Permission of Down & Out Books

I swear to you I never meant to hurt anybody. With all that's gone down in the past week, I understand why you think the worst of me. Right now, I probably seem like a combination of Darth Vader and Charles Manson thanks to the Fake News Media. Please don't believe the stuff you read, and especially don't listen to that stupid TV reporter who called me the Pogo Stick Killer. He's a jackass who was mad that I wouldn't give him an interview, that's why he slapped that stupid name on me. Then everyone on the Internet looked up from their cat videos for a minute and thought it was funny. I don't even *own* a pogo stick. And I am not a killer.

To set the record straight, I'm going to write it all down just like it happened. Then you can judge me. By the way, sorry about my lousy penmanship, but since high school I never used a pen for anything except signing my name, and it's kind of dark in here. But no matter. I need to tell you my story.

More than anything, I need you to understand.

My name is Zachary Streckfus, I'm twenty-nine years old, and I've always lived in or near Minneapolis. I've never been convicted of a crime, though in the interest of complete honesty, you should know that there may be one or two restraining orders issued against me. My parents are good people, but when I look back, I feel like my parents should shoulder some of the blame for my current predicament. They were always on my tail about never giving up. "Real men don't quit, Zach," my father told me. "Quitting is the same as failing," my mom would say. Growing up, I heard those lines about a hundred million times. Here's a partial list of the things I was not allowed to give up on growing up:

My paper route,

Swimming lessons, even after I almost drowned,

Piano lessons,

A stupid dog named Horatio who chewed up my entire collection of Star

Wars action figures,

Thanksgiving at Grandma's house (not because I don't love my Grandma,

but because my aunt and uncle took a decade to get divorced and

would come over every year to scream and throw lamps at each other),

Sunday school,

Stupid Mr. Cubico's ninth-grade woodworking class, in which I managed

to mangle my left hand so bad that it looked like I had stigmata for an

entire year,

CPR class, and

Every stupid volunteer job my parents strong-armed me into.

You get the idea. My parents are the reason I learned never to take no for an answer. And I'm not stupid, I understand that trait has caused a certain amount of angst in my personal life. It is the reason why I just couldn't accept that Monika Bauermann turned me down when I asked her out. What she didn't understand is that I didn't just want to get to know her better, I wanted for her to get to know *me* better. She wouldn't even give me a chance, and that was unfair. Even though we don't know each other well, I bet you agree.

This was supposed to be a love story, not a crime story. I met Monika at work and fell head over heels in love with her. She was my ideal woman: long blonde hair, deep blue eyes, and a body like Scarlett Johansson's. It was like every fantasy I ever had about a woman in one perfect package. I don't know how good a look you got of me earlier, but you should know I'm no slouch in the looks department, even if the Fake News Media is showing that awful photo of me from Comic-Con. (Honestly, anybody who's ever worn a Darth Vader costume will tell you that your hair stands up on end when you take the helmet off. Also, it's really sweaty inside that thing.) For the record, I'm six-one, with brown hair and gray eyes. I'm one of those guys who can eat anything he wants and doesn't need to work out to stay fit, except for the occasional session on the Xbox, because I was an awesome athlete in high school. (I know somebody put my high school yearbook online, so you know I'm telling the truth.) The point is, there was no reason for Monika to reject me.

But like my dad always told me, real men don't quit, and so I didn't. If at first you don't succeed, what can you do but try, try, try again. Right?

So I decided to charm Monika. I sent her funny videos, like the one when a texting woman walks right into a hole in the sidewalk. (Seriously, what's funnier than that?) I'd drop by her cube at work to talk to her at random times. I'd figure out where she was having lunch and go see her, which was kind of a challenge because she was always changing up the spot. It kind of looked like it was working, until she brought in a human shield. The first time I met him was when I showed up at her cube on a Monday morning. Monika didn't so much as give me a smile. "Hey, Dan!" she called. This guy pops up out of a nearby cube like a groundhog, only he doesn't look for his own shadow but comes loping over. He's got short, dark hair and glasses with black plastic frames. He looked for all the world like about a dozen guys I gave swirlies to in high school.

"You must be Zach," he said, holding out his hand. "I'm Dan Malmon."

"Hey." I shook politely, on account of Monika watching all this go down.

"So, what brings you over here?" Dan asked me.

I stared at him, trying to figure out his game. He seemed friendly, but he'd managed to scurry into Monika's cube, positioning himself between us. It didn't feel like he was going anywhere.

"I'm here to see Monika," I said, like it wasn't obvious.

"Let's walk to the break room," Dan said.

He waited for me to step out of the cube before he followed. I looked back, but Monika was still planted in her chair.

"Aren't you coming?" I called.

Monika pursed her lips, but she didn't say anything.

"Monika's busy," Dan said. "It's just you and me, Zach."

"I'm not here to see you," I told him.

“Actually, you are.” Dan looked back at me with a confidence you didn’t often see in rodents. “Because I’m your last chance.”

“Last chance for what?”

“Come to the break room and find out.”

I followed him, feeling more than a little pissed off. Who the hell did this guy think he was, anyway? In the break room, he stopped in front of the vending machine and dropped some change. Out popped a candy bar in a red wrapper.

“You ever have a Kit Kat?” he asked me.

“Nope.”

“They’re the best.” He sat at the rickety Formica-topped table and cracked it open. Inside were four long, skinny rectangles covered in chocolate. “They’re impossible to get around here. I had to bribe the guy who stocks the vending machine.”

I reached for one and dropped it into my mouth. It was actually pretty good. There was a crunchy wafer under the chocolate, and it was tasty but not oversweet. “Pretty good,” I said. Then I caught his expression. For a moment, there, I thought he was going to stab me. He pulled the rest of the bar off the table and into his lap and glared at me.

“So, what did you mean about you being my last chance?” I asked.

“Here’s the thing,” Dan said, chewing a Kit Kat slowly. “You’re scaring Monika. She’s ready to complain to HR about you.”

“Because I asked her out?”

“What you call *asking out*, my people call stalking,” Dan said. “The point is, you’ve made her really uncomfortable, and she’s documented it. If you don’t knock it off, you could get fired.”

“Who the hell do you think you are?”

“I’m Monika’s friend. Actually, I guess I’m her work husband.”

“You’re involved with Monika?” I was incredulous. Like, she’d prefer this wafer-thin hedgehog to a real red-blooded man? “I’ll fight you.”

Dan started to laugh. It was weird watching him, like once he started, he couldn’t stop. He was gasping for air and tears were rolling out from under his black glasses. It was bizarre.

“Sorry,” he gasped. “That was hilarious.”

“There’s nothing hilarious about me beating your ass.”

“No, but I’m married to a fierce redheaded goddess named Kate.” Dan wiped his eyes. “I’m not saying that you couldn’t whip me into a pulp. I’m just saying Kate would pop your head open and suck the marrow from your bones. Also, she would do that to me if I ever looked at another woman. I meant that Monika is a close friend. She wanted someone to talk sense into you. She doesn’t want to get you fired, she just wants you to leave her alone.”

I felt deflated, like my body was shrinking by the second. “I don’t understand.”

Dan sighed. “Look, Zach, I’m sure you’re not a bad guy. But Monika *thinks* you are because you won’t leave her alone. How about you prove to her that you’re not a bad guy?”

“How do I do that?”

“By leaving her alone.”

When I left the break room, I felt shivery all over, like my body was fighting a flu. That whole episode left me seriously confused. But before you start to think that I had it

in for Dan, let me tell you that I never saw him as the problem. He'd been a stand-up guy, even if he looked like a meerkat librarian. It wasn't like he was after Monika. I wasn't offended by anything he'd said. It was more like I was baffled that he'd said it. I mean, what was wrong with Monika? If I proved to her that I was a good guy by staying away from her, how was I ever going to sleep with her? But I didn't want to risk losing my job, so I decided to play it cool. I would watch and wait. Because the one thing I am not is a quitter.

It took me a week to figure out what I was going to do. I woke up thinking about it in the middle of the night. I grabbed a cocktail napkin next to my bed and wrote down exactly what I needed to prove to Monika that I was a good guy:

A gun,
An accomplice who could scare off shadows in an alleyway,
Kit Kats, and
Dan Malmon himself.

I know it sounds weird on paper, but I could see the whole plan in my head. It wasn't overly complicated, but it would be convincing. I started putting it into place that Saturday, when the vending-machine guy was doing his rounds.

"I have a weird favor to ask you," I told him quietly. "I need you not to restock the Kit Kats."

The guy shook his big bowling ball of a head. He was wearing a striped black-and-white shirt and looked like an umpire from a baseball cartoon.

"Can't do that," he said. "Malmon would lose his mind. Last time we ran out of Kit Kats, he insisted on inspecting my van in case there were any stray bars."

"This is actually *for* Dan." I cleared my throat. "His friends are planning a big surprise party for him, and we're going to bury him in Kit Kats. But first, we need him to think he can't get any Kit Kats."

A smile crept across the man's face. "I love surprises. Sure, I can do it. But what am I going to do with all these Kit Kats in the meantime?"

"I'll buy them from you, every week. We need to stock up for the party anyway."

I was off to a good start, but the second part of the plan wasn't so easy. I needed a big guy, bigger than me, who could play a part. You'd think Scary Goon wouldn't be hard to staff, but you'd be wrong. Because it's not just Scary Goon, it's Scary Goon Who Knows How to Keep His Mouth Shut and Isn't Secretly Reporting You to the Cops.

The Fake News Media has been chock-full of stories of guys pretending that I tried to hire them. Anything to get on TV these days, right? But the truth is, there were only three guys I approached. The first was an ex-con who worked out at a gym in North Minneapolis. He was bald like a hairless rat, which made it easier to see the blue-ink tattoos crawling up his body like blurry vines, working their way up to his skull. I didn't realize how intimidating they were until I was standing near him while he was bench-pressing the equivalent of a small car.

"You looking for work?" I asked him. "'Cause I got a job I need help with."

He took his time sitting up, but his eyes were on me the whole time. They were dark, but there were flecks of amber in there that made it look like a bonfire was burning inside

his head. The slow, deliberate way he moved gave my stomach time to backflip like it was in an Olympics tryout.

“I used to have a bitch that looked like you.” His low voice rumbled out with a harsh intensity that felt like there should be billowing smoke with it. “I wonder what happened to him.”

I left him with that memory, hurrying out of there fast as my legs would carry me.

The next guy was a friend of a Facebook friend, a military veteran who posted constantly about his service and his fallen comrades and how we Americans weren't patriotic enough. He was a big, burly guy but he had no priors—as far as I could tell—so I told him I wanted to meet him for a beer to thank him for his service. He showed up and ordered a triple Jack Daniels, neat.

“So, what branch of the service were you in?” I asked him, since I'd never been able to figure it out, exactly. He posted stuff about the Marines and the Air Force and Special Forces. Whenever anyone asked online, he was cryptic.

“I served the services,” he answered.

“What does that mean?”

It took a few more rounds with Jack Daniels to get that out of him. He worked for a food contractor that fed troops. He'd never set a foot overseas.

To be honest, I started to lose hope at that point. I had a mountain of Kit Kats in my apartment so big that I had to move it into the big metal shed behind my grandma's house. I left Monika alone, but she still looked the other way when we passed each other in a hallway. But just when things looked darkest, there was a ray of sunshine. It all started with a kitchen leak. I called a handyman to fix it, and when I answered the door, I nearly had a heart attack. The guy was shy of six feet tall, but he looked like he'd just escaped from the zoo. He had a wild mane of golden hair, close-set eyes that didn't blink, and shoulders that filled the whole doorway.

“Hi, I'm Nestor,” he said, breaking out a smile. It was like the sun coming out behind storm clouds. “I'm here to fix your sink.”

I pointed him to the kitchen. A couple minutes later, I heard music in the air. It's hard to put into words. It was like I'd been enveloped by a melody. When I ducked my head in the kitchen, Nestor was under the sink.

“What was that?” I asked.

“Hope I wasn't bothering you,” he said. “I like to sing opera when I work. Donizetti's my favorite.”

It was the beginning of what I thought would be a beautiful friendship. Nestor looked like a thug, and he'd worked as a bouncer and a security guard, but like a guard dog who loved head-pats, he'd been let go for being too friendly. Like the vending-machine guy, I brought him into my scheme by telling him I was planning a great practical joke on a friend. Nestor loved practical jokes, so it was an easy sell. The only problem was that he kept trying to come up with ways to make the practical joke funnier. “What if I wear a Pikachu costume?” he suggested at one point. “Bet that would crack him up, getting robbed by a Pokémon.”

“I don't think so, Nestor,” I told him. “Let's stick to the original plan.”

“Sure thing. You still want me to bring my gun?”

That I did, but only as a prop, I swear. The only thing left to do was to trap Dan. Honestly, that wasn't hard. All I had to do was saunter into the break room while he was in there and break open a Kit Kat.

"Where did you get that?" Dan demanded. He had the saucer-eyed look of a man who hadn't slept in weeks.

"What, this?" I picked up a couple of bars and stuffed them in my mouth. "Mmm. So good."

"They won't stock them here anymore," Dan said. "I don't know why. No one will tell me. I would kill for a Kit Kat." He came over and tried to loom over me, weaving like a palm tree in the wind. "Where are they?"

"I've got a secret source."

"Who?"

In an alternate universe where Dan was a leg-breaker for a loan shark, this was the face he would wear. Intense, focused, ruthless. It was actually a little unsettling.

"I can't tell you," I said. "But I can take you there."

"Now?"

"Tomorrow," I promised. "We'll go tomorrow."

The hook was baited. I called Nestor and got him set. That night, I slept like a baby. I just had a feeling about how it would all go. Within the next twenty-four hours, I'd be a hero.

Or so I thought. Of course, I couldn't have been more wrong.

The big day started auspiciously enough. When I got to work, Dan had already sent me a message: *What time Kit Kat?* The worm hadn't wriggled off its hook. I managed to put him off until the afternoon because Nestor had a plumbing job to take care of first. The minutes ticked by. Lunchtime came, and I checked in with Nestor. His job was done, and he was on his way. Everything looked peachy.

I'd promised Dan we'd head out at three, but he showed up at my desk at two-thirty. "Let's go now," he said. There was a glassy look to his eyes, like a junkie.

"Can't," I told him. "Gotta wait till three."

"Ughhh," grunted Dan, holding up his fists in the air like one of those furious cartoon men in a Keith Haring drawing. He vanished for a bit but circled my desk like a shark.

When we finally got outside, storm clouds were gathering. This wasn't really an impediment to my plan, so I barely noticed. Honestly, I should've taken it for the dark omen it was. Our company was at the edge of an aging industrial park. I headed down the street and Dan nipped at my heels.

"Where is this place?" he wanted to know.

"I found it by accident."

"Because I checked all the stores around here," he said. "None of them have Kit Kats."

"This one does."

We marched along in silence. I'd timed the walk. It was just seven minutes from the office. Far enough that we weren't likely to run into any one, because no one liked walking around the cruddy streets of the industrial park. I'd told Nestor exactly where to meet us, but when we turned the corner, he wasn't on the block. I looked around, but didn't see him anywhere.

"Is this the place?" asked Dan.

There was a tiny grocery store with what looked like Arabic writing in the window. There were a couple of baskets with fruit outside, oranges and lemons.

“Uh...”

“Great!” Dan literally ran to the front door of the store. I looked around again and followed him in. No Nestor. This was bad, but it wasn’t a total crisis. Nestor could always mug us after we left the store. My plan was sound, even if it needed a tweak.

Of course, the real problem was inside the store. Dan was bent over the shelves in front of the cash register, madly pulling at the candy. “Where’s the Kit Kat?” he demanded.

“What?” asked the woman behind the counter. She was in her mid-fifties, with most of her graying hair hidden by a headscarf. From her blank stare, it was clear she didn’t speak English.

“Kit Kat.” Dan stared at her. “You have Kit Kat?”

She surprised me by nodding. “Okay.” This store really *did* stock Kit Kats? That felt like a major miracle. She walked to the back of the shop, returning a moment later with a mangy black-and-white cat in her arms.

“Kitty cat,” she said.

Dan looked from the cat to me in obvious disbelief. It felt like the jig was up, and it would’ve been, except that Nestor chose that exact moment to come through the door on a pogo stick.

He bounced there for a moment, looking as serious as one can while wearing a ski mask and bouncing on a pogo stick. “Your money or your life,” Nestor announced.

Dan stared at him. “This can’t be happening.”

“We’re being robbed,” I said.

The lady with the cat shrieked and ran to the back of the store.

Nestor stopped bouncing and hopped off. From behind his back, he pulled out a gun and pointed it at Dan. I swear, if it weren’t for the improvisation with the pogo stick, this was exactly how I envisioned the scenario unfolding.

“Get away from my friend!” I yelled. This was my plan: stage a robbery, save Dan’s life, present myself as a hero.

“Is this performance art?” Dan asked.

“What?” Nestor asked.

“Because I just don’t believe you can rob someone and hop away on a pogo stick.”

Even underneath the ski mask, Nestor’s frown was obvious. “Man, I got an Extreme Pogo Stick than I can do flips ten feet in the air with.”

“That *is* impressive,” Dan said. “But that’s not the same as getting away from a crime scene, is it?”

“No, but it’s still cool.” Nestor waved the gun around wildly. “Money, now.”

“I’m not afraid of you or your gun!” I shouted. “Get out of here!”

“I’ve only got twenty bucks,” Dan said. “But I’ll pay you a hundred if I can watch you do a ten-foot flip.”

“You’re on, man!” Nestor said excitedly. “I’ve got my Xpogo stick in my car.”

I grabbed for the gun before Nestor could put it away. “You’re not going to hurt my friend!” We wrestled for it, and the pogo stick fell to the ground just as the gun went off. It was pointed at my chest. There was a huge exploding sound that could probably be

heard a mile away. For a moment, I was sure I was dead, especially because I looked down and saw red. But it was just an unfurled red flag that said “BANG!” in big letters.

“It’s a prop gun,” Nestor explained unnecessarily.

“I see that.”

“Anyway, ha ha,” Nestor added. He looked at Dan. “Some practical joke, right?”

Dan’s eyes were ping-ponging between us. “Zach hired you to stage a robbery, didn’t he?” His eyes zeroed in on me. “I read a lot of crime fiction, but this is crazy. You wanted a guy to fake-rob me to do what, exactly?”

“To make you see that I’m a good guy,” I gulped.

“You’re a caveman who lacks a cave,” Dan said. “You are not a good guy.”

“Don’t tell Monika,” I pleaded.

Dan slapped his forehead. “Of course. That’s what this is about. Monika. Well, guess what? Now everyone will know what a crazy stalker you really are.”

He started out the store and I grabbed the first weapon I saw. Yes, the pogo stick. It was lying on the ground and then it was in my hands. But I didn’t hit him with it, I swear. I caught the neck of his shirt and pulled him back. He stumbled and whirled around to face me.

“I’m not a bad guy,” I said. “You have to believe me.”

“Okay. Sure.” He blinked at me and tried to make a run for it. But I blocked his way, brandishing the pogo stick like a staff. Dan hurled bags of chips at me, but they bounced off.

“You can leave when you promise to tell Monika I’m a good guy,” I told him.

“I’ll tell her you need to be locked up and given electroshock therapy.”

“Come on, stop being a little bitch.”

“You know what kind of man turns to insults like that when he’s angry?” Dan asked. “Someone who’s got anger issues with women.”

He turned and ran down the aisle toward the back of the store, where the woman with the cat had gone. I threw the pogo stick after him like a javelin, and it hit him square in the back. He lurched to the left, grabbing the rack of metal shelving to steady himself, but he lost his balance and listed to the right, pulling the big metal shelf down. Hundreds of metal cans rained down on him. You have to understand, it wasn’t the pogo stick that killed him, it was all those metal cans of spaghetti and meatballs. It was death by Chef Boyardee.

I ran down the aisle and tried to get this mountain of tiny tin boulders off him. I tossed them aside and they rolled everywhere. Finally, Dan’s face emerged under the wreckage. His glasses were broken and lying askew on his cheeks. Blood flowed from his temple. He fixed his dark eyes on me.

“There. Were. No. Kit Kats,” he breathed. Then he flinched and relaxed, his eyes settling on the unfinished ceiling of the store. He didn’t blink again.

I stumbled to my feet. “Listen to me.” I grabbed Nestor by the shoulders. “Dan wanted to try the pogo stick and he accidentally pulled the shelved down on himself.”

Nestor looked stricken. “But that’s not what happened.”

“It is if you don’t want to go to jail.”

The woman with the cat must’ve called the cops, because they were waiting for us outside. By the time we got Dan clear of the cans, he was dead. You have to understand, I

never planned to kill Dan Malmon. I wasn't going to hurt a hair on his head! It was fate or bad luck or bad timing or some weird cosmic joke. That is the truth.

Fortunately, the cops seemed to understand that. They brought Nestor and me into the station and interrogated us, but since the cat lady had fled (I'm guessing someone didn't have all her papers in order) and there was no video camera in the store, the case against us was nonexistent. Ultimately, they let us go, and Dan's death was ruled a misadventure.

That should've been the end of the story, but of course it wasn't.

Two nights after I was released, I woke up in the middle of the night with a feeling like someone was in the room with me. The whole room reeked of alcohol. I'd been out drinking, but I didn't remember spilling a bottle of vodka on myself. I turned on the light and screamed. There was a woman standing at the foot of my bed. Her skin was pale but her hair was flaming red, like a halo of fury.

"Are you a ghost?" I asked her, unsure whether I might still be dreaming.

"I'm Kate Malmon," she announced. "You killed my husband."

"Dan? No way. Never. We were buddies."

"Dan knew you were scum," Kate said. "But he didn't know exactly how rotten you are. I talked to the guy who fills the vending machine. I know you're the one who got him to stop filling the machine with Kit Kats. You lured Dan to that store. You killed him."

"It was an accident! I never meant for him to die."

"Here's what going to happen," she said. "You get a choice. You can make a full confession to the police and take the consequences, or you can face the justice I'll dole out."

"Look, I get that you're upset, but there's no way I'm confessing. I didn't kill Dan. It was all a big misunderstanding."

"No, you creep. *This* is a big misunderstanding," she said.

Before I knew what was happening, she flicked a lighter and tossed it on my bed. That alcohol I smelled? Well, she must've poured it all over the comforter because it lit up like a Roman candle. I tried to beat the flames away but it was impossible. I jumped out of bed and ran down the hall.

She followed me.

"I'll call the police," I said, remembering too late that my phone was in the bedroom and I was only wearing boxer briefs.

"Go right ahead." Her voice was very calm for someone who'd just lit a raging fire. Black smoke billowed out of my bedroom, and flames were licking at the doorframe.

I shook my head and opened the front door, running out into the night. The street was quiet. On instinct, I ran to the left. My grandma's house was just three blocks away. It was cold and I was barefoot, but I could make it.

What I hadn't counted on was that crazy woman right behind me. Every time I looked around, she was there. Even though she was walking and I was running, it seemed like she was keeping pace with me. Maybe that was because I kept tripping and falling. I was so disoriented. Everything felt like an awful dream, and I kept hoping I'd wake up. When I got to my grandma's house, I realized I didn't have the keys. I banged on the door, but my grandma's always been hard of hearing and she didn't answer. I was ready to break a window when I realized Kate was on the steps of the porch. I dove off the side, into a thorny bush, and ran for the backyard. If only I could make it to the big steel shed. She'd never get me in there.

When I slammed the door shut and locked it I felt a momentary relief. But a minute later, I heard a strange clicking sound. I tried to peek outside but the door wouldn't budge.

"I thought you might run over here," Kate said. "If you ever want out, you're going to have to write a full confession."

"You're crazy. I can stay in here as long as I need to."

"There's no water in there," Kate said. "I made sure."

I turned on the overhead light, a dim twenty-five-watt bulb. In its swaying path, I saw mountains of Kit Kat bars, but no other sustenance. There was also a yellow legal pad and a package of pens.

"I can call for help," I said, knowing full well I couldn't. "I'll be rescued in no time. You'll see."

"Let's make a wager on that," she answered. "Because I bet that you won't be rescued. I bet, that if you don't write a full confession, you'll die in there."

"Shows what you know," I said, sitting on the floor and cracking open a Kit Kat.

Fourteen Kit Kats later, my mouth was so dry I could spit sand. That's when I started writing.