

ESC!

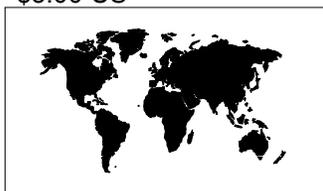
Vol. 5 No. 1

The Literary Magazine For Aspiring Writers and Artists



INSIDE THIS ISSUE:

\$5.00 US



PRODUCED IN THE USA

Derek Muk's *Victims of Circumstance*
Two New Works by Guy R. Qualls
VEX:Twisted by Paul B. Tucker



Vol.5 No.1

Publisher

Michael R. Potter

Submissions To ESC! Magazine:

Writers: We are looking for all genres including: science fiction, mystery, suspense, horror, or general fiction. Stories should be limited to no more than 2500-3000 words. Longer work may be considered. Poetry also is accepted. Submissions should be typewritten and double spaced.

Artists: Black and white line-art and illustrations are preferred. Please DO NOT send the originals! A high quality photocopy will suffice. Artwork should be limited to no more than 8½" X 11" in size. Cover illustrations can be 11" X 17" or 8½" X 11". If you need to draw it larger, please reduce it with a copier to the proper size. Comic strips and comical illustrations are also welcome!

For a complete list of guidelines, please visit <http://www.escmagazine.com/>

ESC! Magazine, is published twice a year by Michael R. Potter, P.O.BOX 115, Huntley, IL 60142-0115. Please send all subscription orders, inquiries, and address changes to the above address.

Single copy cover price: \$5.00

Editorial Office:

P.O.BOX 115,
Huntley, IL 60142-0115

Closed Weekends and Holidays

All letters to the editor will be considered for publication and may be edited to save space.

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On the Cover:

The Phoenix - Interpretation by Michael R. Potter.

Rubbing of a Phoenix from the ancient Christian Catacombs of Rome. The Phoenix is the mythical bird who rises from its ashes after a thousand years to fly again. It is often used as the symbol of the resurrection of the bodies contained within the catacombs.

Read more at: <http://www.catacombe.roma.it/index.html>

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Seven years is a long time...

Seven years is a long time between producing a sequel to a hit movie. Seven years is a long time between producing a follow up to a hit record – unless your name is Genesis. But, seven years is most especially a long time between issues if you are trying to produce a magazine. It would seem that your core audience would drift off after a while ... don't you think?

Back in early 1994 I began assembling what was to become Volume 4, Issue 1 of ESC! Magazine. It never made it to print. At least not yet it hasn't. Many factors contributed to the temporary cessation of ESC! but the most important, indeed the thing which is most commonly credited in cases like this, is money. There was an imminent postage increase in January of 1995 and, along with that, the printer who had always done such a wonderful job printing ESC! for me (buy a back issue if you want to see for yourself) was going to raise their rates as well...substantially! I put ESC! on hold. I had to formulate a plan to bring it back in the most cost effective manner possible while still maintaining my high standards for presentation.

Then the letters started pouring in. "Where is ESC! Magazine?" or "I was supposed to be published in your next issue, when is it going to appear?" I felt – and feel – awful. Just awful. I let these people down and, most importantly, I let myself down by not forging ahead with something I enjoyed doing so much. How could I justify continuing though? I had a wife and a full time job. How could I put myself into debt just to pursue what had great potential but really amounted to nothing more than a hobby?

Then IT entered my life. Yes, 1995 saw the dramatic emergence of the Internet. As a computer professional I was, of course, familiar with and had used what was by then globally known as the Internet – a large network of computers sharing information via FTP, TELNET, GOPHER and Newsgroups. This thing known as the Internet was serving information to mainframes and desktop computers around the world, but those computers were mostly in universities and government institutions. A small aspect of it named the World Wide Web had just been developed in downstate Illinois and people were experimenting with rudimentary web pages – pages which were simple text documents with "hyperlinks" embedded in them to jump to other simple text documents. It was wonderful! But could it sustain something like ESC! Magazine? I had my

doubts but I definitely saw it as an extension of ESC! In fact, if you ever get the chance to see the "lost" issue of ESC! (stay tuned – hint, hint), then you will see a section in it which talks about how the ESC! web page will serve as an "extension to the print version" and that I will "never eliminate the print version of ESC! Magazine". Yeah, well, I don't know what to say about that – but it is rumored that Bill Gates at one time said computers would never need more than 64K of memory (or was it 640K?). Okay, so we were both wrong. So sue HIM – he's got the money.

As I was messing around with the Internet and learning how to produce web pages, I began to experiment with pages for ESC! as well. (I may put some of my early efforts online in the future just for giggles, but for now they will remain forever buried in the past.) At the same time I was quietly building the ESC! brand. I would use ESC! Publications for things created outside the realm of ESC! Magazine and I registered the domain name ESCWEBS.COM to help "bring together" all of the aspects of ESC! under one electronic roof.

About two years ago (gosh, was it longer?) a gentleman by the name of Derek Muk contacted me to publish his short story named "Jerry". Though I had it in the back of my mind to once again produce a printed version of ESC!, it just didn't look like it was going to happen any time soon. But he was persistent, wore me down and encouraged me to get his story published. How would I do it though? It would seem odd to create a version of ESC! with just one story wouldn't it? Unless ... unless I put it on the web site! So I worked to create an ESC! Magazine section of ESC!Webs and finally, in the fall of 2000, "Jerry" was published to the web. What better way to reward Derek for his encouragement than to give him and his story a world wide audience?

I just wasn't happy with the presentation though.

I looked at other "e-zines" on the web (because that's what ESC! had become) and they were all "printing" stories about the same way. Usually the story would be broken

down into sections and then those sections would be “hyperlinked” together to form the complete story. This was often preferable to putting just one long text document on the screen for the reader. So here I had an “issue” of ESC! on the web, but in all honesty it just didn’t feel or look like ESC! Magazine. Not the ESC! Magazine I knew anyway. There had to be a better way. A better way to publish ESC! and recoup some of my investment in it because, so far, the burden of publishing it had been mine alone and it was starting to get expensive to cover the hosting fees associated with ESCWEBS.COM.

Three things happened after “Jerry” saw the light of computer screens around the world that changed the way ESC! Magazine would be published forever (or at least until I find some other way to do it). Derek sent me another story, “Victims of Circumstance”, I purchased a full version of Adobe Acrobat and Amazon created their Honor System.

Once again Derek’s persistence paid off for him — and me. Since I wasn’t happy with the presentation of “Jerry” I spent many hours trying to figure out a better way to get “Victims of Circumstance” published until I settled on Adobe’s Acrobat format. Over the last few years Acrobat had become the premier way of distributing documents on the Internet in such a way as to ensure the recipient would read and view it as it was originally designed. Things like forms, instruction manuals and diagrams are routinely distributed in Acrobat format. The really nice thing about Acrobat is that in order to view an Acrobat document the audience doesn’t have to buy any software. The Acrobat Reader is a free download, and people on Macs, Windows, Linux, UNIX and even some hand held PCs can read the document as it was originally designed. Perfect!

The creation of Amazon’s Honor System had the potential to make ESC! solvent again. I believe Amazon’s Honor System was a direct result of the success of Stephen King’s distribution of his novella “The Plant”. Also released in Acrobat format, “The Plant” was freely downloadable but if you wanted Mr. King to continue producing chapters, you had to pay. Payments were handled safely and securely by Amazon on an honor system. Well, wouldn’t you know it, but shortly after “The Plant” hit the Ether and became a success, Amazon created and released a version of the honor system that anyone could sign up for and participate in. ESC! is now part of the Amazon Honor System and, like Mr. King, unless people contribute it will be difficult to keep ESC! going, so if you like what you read here, please consider making a payment using the paybox on the ESC! Magazine web site. (If you do, there is an extra bonus waiting for you once payment has been received.)

So here we are. Volume 5, Number 1 of ESC! Magazine. What happened to Volume 4? Well, it’s lost. At least for now. So much time has passed since the last issue that it felt wrong to continue with Volume 4 so I started with 5. New format, new volume.

This issue is a little smaller than past issues, but you will find one full length short story, two poems and another chapter of an illustrated story originally begun in the printed version of ESC! I deliberately chose to make it smaller because of the new format. Using this format you can send ESC! to your desktop printer and have, in your hands, a version of ESC! Magazine which looks much like it would have had you received a copy from the printing house. (I think those of you with ink jet printers will especially appreciate the reduced page count, though I do recommend it be printed on a nice laser printer for the best legibility.) Plus, using this format, I can finally expand to using COLOR in the magazine but continue distributing it the same way without incurring any extra printing costs.

I’d like to thank Derek Muk for his never ending quest to get published and his willingness to act as a tester for my ideas, Paul Tucker for his help redesigning the ESC! logos and allowing me to run the never before published chapter of Vex and Guy Qualls for his heartfelt and soul baring contributions to this issue. Without their help you wouldn’t be reading this today. Of course the real support team behind this issue of ESC! consists of my wife Janet -- my partner through life -- who has always been the silent copublisher, editor and official sounding board of ESC! Magazine, my daughter Maddie for bringing a new realm of joy and wonderment to my life and, of course, my father, Robert, for his guidance, leadership and always spot on sage advice when I’ve asked for it.

That’s it for my rambling this issue.

Welcome to the rebirth of ESC! Magazine! Enjoy!



NEXT ISSUE, (V5,N2):

- All New Fiction
- All New Poetry
- Plus some other goodies.

Victims of Circumstance

by Derek Muk

I

Frank Holmes glanced at his watch as he walked across the quiet, nearly empty parking garage to his car. Half past midnight. God, I can use another drink, he thought, sighing heavily. He put his leather briefcase on the hood for a second, leaned against the car, and rubbed his eyes with his hands. Then he gently massaged his face. His eyelids felt like bricks, and his face was numb as if he had been at the dentist's office too long. It had been a typically warm day in the city, one of the warmest of the summer so far, and he was still perspiring like it was midafternoon. He had his shirt sleeves rolled up to his elbows and his shirt stuck to his sweaty skin like tape. A shower was definitely in the cards, maybe a few showers and a few baths. He could picture himself doing his paperwork in the bathtub, getting suds and soap all over the laptop, a glass of wine on the toilet seat or something.

He was a fortyish African American man with a distinctive mole on the left side of his face, something that his wife found very sexy and enigmatic. He never thought of his mole as either of those things. He just thought of it as a mole. He was a simple man.

Speaking of Karen, he thought, he should've called her back. He checked the number on his pager again and wondered if Jason and Cynthia were sound asleep or not. If he had to bet on it, he'd guess they probably snuck out of their rooms to play the Sega system he bought for them last Christmas. Kids will be kids.

He opened the car door, threw in his briefcase and loosened his tie and sat in the driver's seat, thinking about all the shit that happened during the day once more. Rubbing his eyes again, he thought about Brent and the rest of the guys. Today seemed especially brutal, the tension so thick he could feel it around his neck. The incessant stares and body language and the coded remarks. And with this new trial having just started there was even more pressure to succeed, to show these assholes he was just as good as them. But it was also a time when he knew he would be scapegoated more, that they would be watching him and that "mistakes" and "accidents" would magically be Frank's fault. It would be a continuous probationary phase as long as he was working there.

Through the stress he tried to make some sense of it all, kept telling himself that everything was okay and perhaps things would get better someday. He played the optimist before lots of times with variable degrees of success. Sighing deeply, he looked down at his shirt...

The bloodstains were still there, still real...

Still fresh.

These days, whenever Inspector Dean Chan had an urge to smoke, he capitulated.

Gone were the days where he would resist and chew gum and all that crap. Cold turkey wasn't the solution, it was only a pain in the butt. He admired people who were able to beat the nicotine but was honest to admit he wasn't one of them. Being a human being, he thought, you were allowed to have certain flaws and imperfections. And this was one of them. With that in mind, he took one last drag on his cigarette before stubbing it out in a tin ashtray near the elevators.

He walked into the law offices of Christianson, Holmes, Lang, Philips, and Walters on the twelfth floor located at 4 Embarcadero Center. Chan was a tall, athletic Chinese man in

...He tried to make some sense of it all, kept telling himself that everything was okay and perhaps things would get better someday.

his early thirties. The Embarcadero Center was a trendy shopping area near the San Francisco waterfront that had lots of colorful storefront windows and displays, but was also home to various businesses and offices. It was prime real estate to have because you had a great, panoramic view of the bay and the Bay Bridge, were within walking distance to fine restaurants and shops, and near major thoroughfares like Market Street and Mission Street. A great piece of pie if you can afford it, Chan thought. Which these lawyers obviously could.

Chan walked past a forensic lab technician who was dusting for prints on a black desk in the outer office area. Inside one of the offices was the body of a white man in his forties, lying in a large pool of blood. His facial features were not immediately recognizable because the head had been bludgeoned many times by a blunt instrument. Chan noticed the gold wedding ring on one of his fingers, tarnished red now.

Dr. Bernard Marshall, the medical examiner, nodded at Chan perfunctorily, getting up from his squatting position next to the body. He was about fifty-two and had a balding forehead. "Morning, Dean," he said, wiping his face with his handkerchief. "Helluva heat wave, isn't it? Christ, reminds me of summers growing up back east."

"A slow death for all of us," Chan replied. "Welcome to the devil's playground. So, what's the scoop, Doc?"

"Well, Mr. Lang here was beaten to death, the cause being extensive traumatic disruption of the brain. Whatever caused the injuries had to be heavy and blunt, maybe something like a baseball bat. No sign of it, though."

Chan stood over the corpse and tried to estimate where the killer was standing exactly when he or she delivered those monster blows to the head. He started swinging his arms up and down with an imaginary bat, pretending to beat the victim. Then he looked at the blood and pieces of bone splattered on the wall and on the ceiling, trying to gauge if the trajectory matched. Looks about right, Chan thought. Rubbing his chin, he wondered where the hell a bloody bat could've been hidden. Walking behind the nearby desk, he saw various office items strewn on the carpet. A few of the desk's drawers were open. "Time of death?"

"Several hours, I'd say, earlier this morning sometime. One of the janitors discovered the body."

Chan nodded. "Okay. Thanks, Doc."

"No problem," Marshall replied, collecting his equipment off the ground.

The M.E.'s assistants came in then. One of them, a stocky Asian woman, looked at Chan. "Okay for us to take him?"

Chan looked at Marshall. "You and Pete all done here?"
"Yep."

Chan nodded to the woman and she and the other assistant started putting the victim into a sterile white sheet, then a black body bag, before zipping it up and wheeling it away on a gurney. The police photographer had already gotten enough shots of different angles of the body, and was now taking pictures of the objects that had fallen out of the desk drawers.

Chan walked out and approached his partner, Inspector Amy Villagomez, who was talking to an older white man with grayish hair and thick silver rimmed glasses. He had a feather duster and rag cloths tucked into his back pants pockets and the name stitched onto his white collared shirt read: **GREG**

"Dean, this is Greg Davis," Villagomez said. "He's the one who found the body."

Villagomez was around Chan's age and of Mexican descent, having dark-skinned features and long dark brown hair and big brown eyes. She was also in pretty good shape, being an avid gym participant, not to mention being well-versed in the martial arts, eastern religion and philosophy, and Asian culture. Sometimes it puzzled her that she knew more about Chan's culture than he did. He would always smile and say he would try to brush up on Latino history. She was constantly trying to persuade Chan to take a kung fu class but he would always laugh and say that perpetuation of Asian stereotypes was definitely not needed.

"What time did you find the victim, Mr. Davis?" Chan asked.

He cleared his throat and said, "Around four this morning, that's when I started my shift. I came in here to do some vacuuming, and bam, there he was lying on the floor like that...what a horrible sight. Man, all that blood and guts. Scared me, too, you know? I was all alone when I found him and thought the killer might still be around. That's why I got this baby," he said, taking out a long, silvery hunting knife from a leather sheath on his belt. "And it is legal, bought and paid for. Yes siree, I ain't taking no chances with anything these days, especially since we've been having a rash of burglaries in the building lately. I've been a victim of a violent crime myself and don't intend to be one again. Man's gotta stand up for himself nowadays...world's changing everyday, crazy people all over the place out there. Know what I mean?"

Chan looked at the sharpness of the blade as Davis put it back into the sheath. "You didn't see anybody else around here at four, did you?"

Davis shook his head. "Nope, I was the only one here." He paused to think about something, snapping his fingers. "Wait a sec, I take that back. Bill was here, too. Bill Crow. He's a security guard. He wasn't around when I found Lang

but he was probably on a different floor or somewhere else in the building.”

Villagomez wrote something in her notebook. “What can you tell us about the deceased?”

Davis shrugged, thinking a little. “Dunno...he seemed like a nice guy. But I hardly knew him. I work mostly graveyard shifts. Occasionally I would see him work into the early hours of the morning or something like that. And when I did see him we exchanged the usual pleasantries, waved or what not. But that was about it. Guy keeps a neat office though, I hardly have to lift a finger when I’m in there.”

“You said there’s been some burglaries in the building recently. Any of these occur in this office?” Chan asked.

Davis thought about it, nodding. “Yep, matter of fact, one happened not too long ago. I had to chase the bastard out of the building myself. Boy, you shoulda seen that asshole’s eyes bulge out when he saw my knife,” he said, chuckling. “He was going to take some computer stuff but I made him put everything back.”

Chan turned to Villagomez and asked, “Any sign of robbery?”

“Appears to be. Lang’s wallet and keys were missing.”

“You think maybe it’s the same guy?” Davis asked.

“Possibly. We’re going to need you to help the sketch artist draw a composite of the suspect, Mr. Davis. So don’t leave yet,” Chan said. He looked at Villagomez again. “Indications of forced entry?”

“Yeah, by an amateur. There was a screwdriver lying on the carpet near the main door. The lock was picked.”

The inspectors found Bill Crow sitting at a desk reading a book in the security guard’s office on the ground floor. He was a tall, lanky Native American man in his early twenties with long dark hair tied back in a ponytail. The book seemed familiar to Chan. It was about multicultural history in America and was written by that well-known professor at U.C. Berkeley...Takaki, was it? Yeah, that was it, Chan thought. It was a good book.

Crow looked up at them as they approached the desk.

“Mr. Crow, I’m Inspector Chan, this is my partner, Inspector Villagomez,” Chan said. “S.F.P.D homicide. Want to talk to you about the murder that occurred up on the twelfth floor.”

“Oh, yeah,” Crow said, sighing deeply. “Brutal, wasn’t it?”

“Greg Davis said that you were around during the time of the murder, which would’ve been about twelve twenty

this morning. Did you see or hear anything out of the ordinary?”

Crow thought carefully, then shook his head. “No, can’t say I did. Everything was pretty quiet tonight.”

“Did you know the victim?”

“No, not really. Said hello here and there, stuff like that ... he had a bit of an attitude though,” Crow said, his face deep in thought.

“What do you mean?”

“Guy was a racist,” Crow said bluntly. “He didn’t like Indians, Asians, blacks, Latinos, you name it. And he wasn’t shy about expressing his feelings either. We’ve walked down hallways together and he’d give his stares or make some noise like an Indian war chant or some such crap.” Crow could hear the mocked voice in his head, Lang imitating a dead ancestor. The hallway echoed with the poor, offensive cacophony. Damn it, it was wrong! It was embarrassing. And he found this funny? Or how about the time they were in the men’s restroom and Lang and that other lawyer, Philips, sneered at him and made chopping motions in the air with an imaginary tomahawk. Written inside one of the stalls were the words: **GO BACK TO YOUR RESERVATION, INDIAN. THIS IS THE WHITE MAN’S LAND.** God, what kind of a world is this, he had thought. He knew it was the stark, ugly reality of life but why did it have to be this bad? Hadn’t his race suffered enough as it was?

Chan sighed. “We’re sorry to hear that,” he said.

Crow nodded without looking at them. “Yeah, it’s been rough, man. The ethnic jokes, racial slurs, intimidation, and insensitivity have made working here really tense. He made a lot of people of color angry so I’m not surprised that someone decided to pop him. I guess you could say he deserved it,” he said, no hint of remorse in his voice or in his facial expression.

“Were you the only guard on duty this morning?” Villagomez asked.

Crow put a bookmark in the book and closed it, shaking his head. “No, there were several other people. I can give you a list of their names.”

“Yes, that would be very helpful. Where were you, by the way, around the time of the murder, Mr. Crow?”

“I was right here in the office, reading. This job can get pretty boring, you know. It’s a good thing I can read or study for school, know what I mean?”

II

Chan and Villagomez talked with the other security guards who were on duty around the time of the murder but didn't get much more than they already had. After that, they drove to the home of Brent Lang on Lyon Street in the affluent Marina District of the city. The neighborhood was full of luxurious homes with large windows and modern facades. BMWs and Mercedes Benzes were not an infrequent sight outside one's door, nor was the occasional Jaguar or Porsche.

Lang's gray two-story house was located right next to the Presidio, a former U.S. military base that was now a national park full of jogging trails, trees, old, vacant Army buildings, and open natural space. Plans for converting it into a park for nonprofit and for-profit businesses was slowly under way. There were plenty of vista points here that provided breathtaking views of the Golden Gate Bridge. It was close to six in the morning now as Chan parked the departmental sedan a couple of houses away from Lang's place. Villagomez looked out the window and noticed the fog coming in from the bay, enshrouding parts of the Presidio parkland beyond and giving it an ethereal appearance.

They got out and approached the house, Chan glancing at his watch before ringing the doorbell. A few seconds later, the door opened with the chain intact. Through the crack they could see a young teenage boy about fifteen or sixteen with long auburn hair.

"Can I help you?" he asked, a little nervous.

Chan and Villagomez introduced themselves.

"Is your mother home?" Chan asked.

"Yes. Why do you want to talk to her?" he asked, a bit defensive all of a sudden.

A real mama's boy, Villagomez thought.

"Could you just get her please," Chan said firmly.

"Just tell me what you want and—"

"We haven't got all day."

The young teen just stared at them, dumbfounded.

"Chris, who is it?" asked an older female voice from within.

There was a brief moment of silence before Chris replied, "It's the police."

"What?" the female voice asked with concern, and suddenly, the inspectors could hear the door being unchained quickly. It reopened to reveal a white woman with short red hair, dressed in a simple pink bathrobe. "Chris, go to your room please," she whispered, then turned back to the cops. "What's this all about?"

The inspectors reintroduced themselves and told her the grim nature of their visit.

The woman stared at them in shock for a moment, her body seemingly frozen from movement. Then after a long pause, her mouth started to open slowly. "... He can't be ... he can't be ... he was just here not too long ago. We were in the kitchen making plans for the Fourth of July, talking about visiting his parents down in L.A. He was really looking forward to it because he hadn't seen them in such a long time. Father was recently diagnosed with having colon cancer and Brent wanted to be there for him emotionally ... he was drinking a glass of orange juice and had some toast and I was making some pancakes for Chris. Said he was going to have a hectic day with this new trial he was working

on, that it was going to last a few months ... he was just here, you know? How could he be gone?"

Chan nodded. "I know this is tough, Mrs. Lang, that none of this makes any sense whatsoever right now. We're deeply sorry to have to relay this news to you."

Tears started rolling down her cheeks and she quickly wiped them away with the sleeve of her robe. She looked at them and said, "Please, come in."

The inspectors thanked her and followed her into the living room. Mrs. Lang then excused herself briefly to go put on something more formal and came back dressed in a simple dark blue blouse and dark slacks. Villagomez noticed she had also dashed on some makeup and did a rather poor job at it. When the cops declined her offer of some coffee she walked to the large living room window and looked out, drying her face with a tissue. To the left of the window was a big screen television with family portraits on top of it. There were framed pictures of Lang, his wife and Chris together, ones with just Chris when he was younger, and others with an older couple in their seventies that Villagomez assumed to be Lang's parents. Next to the television was a medium-sized fish tank that was home to some angel fish, an oscar, a pike, and others. The smell of apple-scented potpourri filled the air.

"Mrs. Lang, we realize this is very difficult to talk about. We can come back at a later time if you'd like," Chan said.

"No, that's okay," she replied, sighing. "And please call me Frances."

"Did your husband often work late at nights?"

"On and off, depending on the trial and what not. This new trial involving Blue Zone Technology really had him absorbed and kept him at the office for most of the day. Brent's a real workaholic. I told him to slow down, to take things one step at a time but he never listened. It was always

work, work, work, always the need to succeed. I told him it was dangerous at that time of night when he got off. You never know who could be on the streets or who could be waiting for you in the parking garage.”

“Did he tell you about the string of burglaries they had in his office building?”

“Yes, and I think he dismissed them as random attacks,” she said, shaking her head. “I told him to be careful, that he could be the victim of a violent crime but he went on his soapbox and went off on how he was a man and that he could take care of himself.”

“We think the burglaries may be connected to your husband’s murder. His wallet and keys were missing and contents from his desk drawer were scattered all over the floor.”

“But why would they kill him?”

“There could’ve been a number of reasons. It’s possible he stumbled across the burglar during the commission of the crime and was just an innocent victim. Perhaps the perpetrator felt he didn’t have enough money in his wallet to satisfy their needs, maybe he resisted their demands and tried to fight back, or maybe it was just a senseless random homicide.”

There was another long moment of silence as Frances stopped to process all this information, a saddened look on her face. It was then that Villagomez noticed the dark bruise on her right hand as she brought it up to wipe her nose again. She also saw some scratch marks on her neck. Hmmm, Villagomez thought. Could it be?

“How’d you get that bruise and those scratches?” she asked.

“What?” Frances asked, a little embarrassed. “I...uhhh, accidentally fell on my hand. It was in the yard actually, near some brush. That’s how my neck got scratched.”

“Uh-huh,” Villagomez said, looking at Chan briefly.

“Frances, do you know if he had any enemies?” Chan asked.

She sniffled and thought about it. “Well, I don’t know if you’d call them enemies, at least not in the typical sense of the word. I don’t think they threatened to kill him or anything like that. Two men. One of them is a partner of Brent’s firm, Frank Holmes. Brent didn’t get along with him at all but I think it was mostly my husband’s fault that caused their strained relationship. Holmes is black and Brent doesn’t like black people,” Frances said, looking away from the cops. She caught herself using the present tense about her husband. Sighing heavily, she continued, “He wasn’t a very tolerant person, it’s just the way he was brought up. Raised in a conservative part of Los Angeles he wasn’t exposed to other minorities, didn’t have friends who were black or Hispanic.” Frances paused to reflect on her own personal

experiences with minorities. Her graduating class at a San Diego high school yielded only two black students and one Asian. That was multiculturalism for you there. Nope, she couldn’t say she had interacted much with them or even said hello. She just wasn’t used to being with people “like that.” No, she wasn’t racist or anything, she just felt more comfortable with people of her own race, that’s all. It wasn’t until college out of state that she made a couple of friends who were minorities and they were really nice. She even thought the brother of one of the Asian women she was roommates with was sort of cute but could never really picture herself going out with someone “like that.” And since then all of her friends were white. But that wasn’t a crime, was it? Whenever she saw minority students protesting for affirmative action, say, or heard the term “bilingual education” she cringed. Why didn’t they realize that they were just as equal as whites or that English should be recognized as the official U.S. language. It puzzled her.

“So what happened exactly between your husband and Holmes?” Chan asked.

“It was mostly verbal stuff, they’d argue or Holmes would say something nasty to him. One time Brent said Holmes deliberately spilled a cup of coffee on him and they almost got into a fist fight.”

“But no death threats or anything like that?”

“If there was, Brent didn’t tell me.”

“Who’s this other person?” Villagomez asked.

“An Indian guard...I forgot his name,” she replied, shrugging.

“Bill Crow?”

“That’s it.”

“No serious threats from him either, huh?”

“None that I know of. It was pretty much the same situation with him. Heated arguments and the like with Brent.” Frances looked down at the floor, blushing a little. “I know my husband acted badly towards them and I feel awful about it...he definitely had juvenile qualities that I disapproved of. I guess you could say he got caught with the wrong crowd at work. There’s an old boys club type atmosphere at his firm. Go talk with some of his partners and you’ll see what I mean. You’ll probably find a skeleton or two in the closet as a bonus.”

The inspectors were left with that to think about as the purr of the aquarium’s air tube filled the void of silence.

On the elevator up to the twelfth floor Chan had the urge for a smoke again but resisted, curling his right hand tight into a fist. He was feeling tired from lack of sleep and wished he had asked Villagomez to grab them a couple cups of coffee from Starbuck’s or something on the way here. Oh, what the hell, he thought. It’ll be lunch before you know it.

The elevator stopped on the twelfth and they got off, walking towards the main doors of the law firm, which were sealed with yellow crime scene tape.

Chan slit the seal with a pocket knife and unlocked the door. Before entering, the inspectors signed the crime scene roster tacked to the wall. When they stepped in they saw the sky already clear and blue as can be through one of the office's windows, the sun shining brightly in the June sky. Chan could hear the hum of the air conditioner. Old boy's club type atmosphere, Chan thought, remembering what Frances Lang had said about the firm. That wouldn't be too different a definition that Chan would use to describe his first couple years on the force, a brutal exercise of searching for one's identity amid issues of alienation, isolation, and fear. His first squad car partner was an older white beer bellied officer by the name of James Monroe who openly called Asians "Japs, chinks, gooks, and slants," he referred to blacks as "apes and jungle bunnies," and Latinos as "tio tacos and spics." Nice guy. When Chan told him it offended him to hear those labels Monroe laughed and said he'd get used to it. He never apologized or tried to change. The turning point came when Monroe started calling him "Charlie Chan." Boy, did he remember that. They were sitting in the squad car one night outside a late night diner over some coffee as Monroe was telling one of his racist tales or some such nonsense that Chan couldn't quite recall now. When he finished his story he winked at Chan slyly and said something like, "Right, Charlie Chan?" He told Monroe that wasn't his name. Monroe laughed and said from now on it was. Chan flung the cup of hot coffee into his face and got out of the car, filing a request for a different partner the next day.

But even after that incident things didn't really change. One morning in the men's locker room as Chan was getting off his shift, a bunch of guys, white and black, started picking on him. One of them knew Monroe and called him "Charlie Chan" again. That same cop approached him and began mimicking an Asian accent, saying something like, "Hello there. How you be? Me name is Charlie Chan. Me like chow mein, rice, and egg rolls. Dogs be yummie, too. Me get haircut like rice bowl, look cool, man." The cop made his eyes slanted the entire time with his hands. So did the others, trying to act Asian by bowing and making martial art moves in the air, commenting on how small and skinny he was. Calling him a fairy queen and all that shit. Chan remembered just staring at them angrily for a long moment before grabbing hold of the guy's head and ramming it into one of the lockers again and again until he fell to the ground unconscious. Christ, nearly started a riot there that day. And after that, "Charlie Chan" and jokes about Pearl Harbor, Bruce Lee, and the Vincent Chin killing all died away.

A few minutes later they heard a knock on the door.

Chan opened it. Standing outside was a group of people, four men and one woman. The men were all middle-aged, three white and one black, all dressed in Brooks Brothers suits while the woman was young and fair-haired. One of the white men stepped forward, cleared his throat, and said, "Are you Inspector Chan?"

Chan nodded, introducing his partner, too.

"We're the lawyers of the firm," the dark haired man said. "I'm Todd Philips. This is Brian Walters, Andrew Christianson, and Frank Holmes." He nodded to the woman and said, "And that's our secretary, Pamela Cook."

The inspectors stepped out of the office, Chan locking the door.

"I'm sure you all know about the murder," he said.

Everyone nodded gravely.

"Yes," Philips said, assuming the spokesman role again. He sighed wearily, scratching his head. "I can't understand it...I mean, Jesus, the way he was killed, so savage and inhumane...what could of been going on in the killer's mind is what I'm asking...so much blood."

Christianson took off his glasses, wiping tears from his red face with a handkerchief. "Horrrifying," he said simply. "Sheer madness."

Walters's face remained solemn. "What a tragedy...what a God awful tragedy," he said.

Holmes didn't look at the inspectors, his eyes were on the floor. He appeared to be in deep thought...thinking about a lot of things. About the murder, about the tense racist atmosphere in the office, about the threats, jokes, and intimidation. Day in and day out he was treated like a foreigner here. Day in and day out the same intimidating stares, the whispered conversations behind his back and furtive glances to make sure he wasn't listening or watching. Sometimes it was made quite obvious and simple. Like the day he found a hangman's noose hanging over his desk from his lamp. Or how about the time he found a sheet of the firm's stationary paper on his briefcase with his name crossed out. Not to mention an e-mail he received where he was repeatedly called "boy" and threatened to be demoted to driving the firm's "limo" and entering through the backdoor if he didn't work harder. That's what he was, a slave in this white man's machine, a mere cog. If he didn't perform satisfactorily, he could be replaced by someone else on an auctioning block and he would simply be shipped elsewhere. It was the same shit just a different century he always thought.

Holmes remembered the time Lang followed him from the office to the restroom. He just stood there waiting by the sink as Holmes came out of the stall to wash his hands. Looking in the mirror he could see Lang smiling sarcastically as he had done many times before, to show him who was in control.

“Hey, Frankie, we just finished paying last month’s bills. Seems like you’ve been splurging lately,” he said.

“What do you mean?”

“Oh, long distance phone calls here and there, a few checks for fancy lunches at the Blue Flame, things like that. But really, it doesn’t look good.”

Holmes turned off the faucet and turned to look at him seriously. “I don’t know what you’re talking about.”

“Don’t kid around, Frankie. We’ve been through these hoops before. Stealing ain’t cool, bro.”

Holmes just stared at him, then grabbed a couple of paper towels to dry his hands. “I can’t believe this,” he said, shaking his head.

Lang shrugged innocently. “Hey, it’s true. Me and the others have found stuff missing from our desks in yours. Now, we realize we were probably raised differently than you, that growing up in the hood or whatever must’ve been difficult. But then you got a break with all this affirmative action crap by going to law school. You had a chance to prove to your kind that you can make it but you screwed it all up. We’re very disappointed in you, Frankie.”

“Why are you guys harassing me?” Holmes asked, his voice trembling with emotion. “You’re accusing me of things I never did...I come here on time and do my job the way you want it, putting in a hell of a lot of effort. And a lot of overtime, too. And yet I keep getting treated like a piece of shit. Now you tell me why and tell me the truth. ‘Cause I’m just not in the mood for mind games right now, okay?”

Holmes shook his head at the memory. The same stuff over and over. Why? And what pleasure did they get from his torment? He didn’t know.

“Frank here might be able to shed some more light on the situation for us,” Philips said sarcastically. “You were the last one to see him alive, weren’t you?”

Holmes shook himself awake. He heard Philips’ voice but didn’t bother looking at him. “Yes, I was,” he replied.

“Tell me what happened,” Chan said. He grabbed a chair and sat next to Holmes in the interrogation room.

Holmes sighed, rubbing his eyes. “Brent and I were working late on this new trial for Blue Zone, a computer company. It’s a rather complex case so I won’t go into all the details. Anyway, he was somewhat of a perfectionist as usual and wanted the entire second part of the presentation text redone in a fancier format. So we did that and that’s why we were there so long.”

“So who left first?”

“I did. He wanted to make sure everything was neat and tidy before he locked up. Probably wanted to make sure none of his pens were missing from his desk,” Holmes said, contempt in his voice.

“Did you see or hear anything suspicious when you left?”

Holmes thought it over, shaking his head. “Can’t say that I did. Everything was pretty quiet.”

“Didn’t see anyone on the premises who was out of place?”

“No one.”

“Is it true that you didn’t get along with Mr. Lang?”

Holmes sighed again. “Yep, you hit the bull’s eye...he didn’t like me because I was black and I didn’t like him because he was ignorant. Sure, it wasn’t pleasant working there but I’m not going to call it quits because some uneducated redneck wants me to. I’m going to stick it out and fight it.” He noticed his voice had risen a little and took a deep breath.

“Did you ever threaten his life?” Chan asked, watching his facial expression closely.

“No, we’d just argue from time to time, give each other stares, that type of thing...trust me, I didn’t kill him. Do you think I wanted to have more stress than I already had? Sometimes I walked out of that office with my head ready to explode.”

Chan nodded sympathetically. “You know, I still have to ask you this. Mr. Lang was murdered around twelve twenty this morning. Where were you exactly at that time?” he asked, observing Holmes carefully again.

Holmes stared at the surface of the table, and sweat was beginning to bead across his forehead. A moment of silence elapsed before he cleared his throat and said, “I was at a bar.”

“Which one?”

“Half Past the Hour, it’s by the Rincon Towers.”

“What time did you arrive and leave there?”

Holmes shrugged. “Twelve o’five. Probably left a few minutes before twelve thirty.”

“Can anyone confirm your presence there during those times?”

“Yeah. Bartender and a couple of the cocktail waitresses. I was surprised. There was a sizable crowd there for a weeknight.”

Chan wrote all this down in his notepad.

“Do you know if Mr. Lang had any enemies?”

“Well, Todd would definitely be on that list...there was some bad blood between him, Brian, and Brent that mostly had to do with who had power. Todd founded the firm and owns it, Brian is his original partner, and Brent was trying to move in on the pie. Todd felt like he was trying to take over his little baby and wouldn’t give him any slack at first. He tried to change the rules of the office, choosing the vendors he liked, tried to hire his own staff, taking sole credit for cases, that kind of stuff. It drove Todd nuts until he gave in a little and let him have some control...sometimes they

fought like they were lovers. Could probably hear them the next floor down.”

“Did you ever consider leaving the firm? Or thought about filing some kind of a lawsuit?”

Holmes rubbed his eyes again. “Many times, but like I said I’m not a quitter. It would’ve only showed that I was weak, and I wanted to prove to Todd and his buddies that I wasn’t about to go down without a fight. . . I wanted to set an example for my kids, too, that you’ve got to be strong in life. That they’re going to experience things in their lives that are wrong and unjust and that they can’t just let people push them around. My parents didn’t raise me to be a coward. I’ve come a long, hard way from law school to get to this point,” he said, reflecting a little. He thought about the bully in high school that kept harassing him during P.E. class, saying that if they lost the softball game or football game that he would beat him up afterwards. Holmes would always get huge butterflies in his stomach when he wound up on his team. And he got beat up a couple of times until his father taught him how to fight. Or how about the college career counselor who tried to discourage him from pursuing law because he didn’t think “blacks were smart enough in the courtroom.” Holmes could still hear his voice echoing through his mind more than a quarter of a century later. “And as far as a lawsuit,” he continued. “That’s in the works right now. . . but believe me, Inspector, I’m innocent. I had no part in this.”

Chan looked at his dark, pleading eyes. “I’ll do the best I can to prove that.”

After talking briefly to Pamela Cook, Villagomez spoke with Todd Philips at a quiet waiting area with a sofa and love seat, just down the hall from the law office. Philips declined to sit. Instead, he kept pacing a small section of the waiting area with his hands behind his back, his brown eyes tense and wide-eyed.

“Frank’s the guy you want,” he said, without looking at her. “If you were here to see some of the stuff that went on between him and Brent you’d understand. Repeated arguments and fights that he usually initiated, brusque remarks

he made, stares and looks he tried to scare us with.” He paused and nodded, remembering something. “Then we had what we called the ‘Coffee incident.’ About a month ago, Frank purposely poured a hot cup of coffee on Brent and we literally had to drag Frank out of here to avoid an all out war.” Philips shook his head at the memory.

“It seems Mr. Holmes is a victim of racism. Wouldn’t that justify his feelings of anger and resentment towards you all?” Villagomez asked.

Philips sighed, running his fingers through his hair. “So there was a little insensitivity on our part. You have to realize we’re human beings and that when you put together a group of people from different walks of life that conflict will occur in some shape or form. It’s just a natural reaction. . . Brent was more outspoken about his views on certain issues and tended to do more of the targeting.” Philips suddenly thought about his own prejudices for a moment. Yes, he would be open to admitting his own discomfort in being the only white person on a bus full of black people or being stuck in an elevator where no one spoke English. And he noticed how he would curse every time an Asian driver cut him off on the road or drove badly like they had just gotten off the boat or something. Plus, there were so many of them here. . . hadn’t they already bought up half the country? Then there were the Hispanics who always seemed to be on every corner wherever he went: on the trains, buses, in the post office. Didn’t these people work instead of having babies all the time? I worked my butt off to start this firm, he thought, shaking his head.

“So, in other words, it didn’t matter that his feelings were hurt?”

Philips looked at her coldly, conscious of the fact that she was a person of color and had to be more careful as to what he said. He turned away, looking out the nearby window at the street below.

“Mr. Philips, where were you around twelve twenty this morning?” Villagomez asked.

“You want to ask any more questions, ask my lawyer,” he said curtly, and walked off.

III

“The bartender and cocktail waitresses corroborated his story,” Chan said, after eating another couple of pieces of broccoli and beef. Delicious as usual, he thought. So was the chicken fried rice. Mr. Lu, the owner and cook of the Hong Kong Tea House, wasn’t going to be hearing any complaints from him anytime soon. “I think the guy’s innocent. I went along with my gut instinct when I interviewed him. He’s a family man, you know? Plays Sega games and softball with the kids. Helps the missus cook dinner, spends time with his parents on the weekends. That type of thing.”

“So you don’t think family men are capable of bashing someone’s face to mush?” Villagomez asked, drinking some tea.

“Not this particular family man, no. I can also sense the emotional pain he’s been through. I’ve been there myself. Working in a racist environment. It ain’t fun, believe me. I call it the ‘Charlie Chan’ syndrome.”

“The what?”

Chan chuckled. “I’ll tell you another time. So how’d it go with your people?”

“I think you would’ve loved to have a verbal sparring match with this guy, Philips. He’s mister in-your-face. He didn’t tell me his whereabouts for the time of the murder, but I’m going to follow-up on that. He painted a reactionary portrait of Holmes, accusing him of everything because he’s black it seems. It was hard to believe him because of his intensity and anger...I didn’t like the guy at all.”

Chan nodded, eating some more broccoli. “Holmes said some interesting things about Philips. Said he’s a power freak who didn’t like the idea of Lang trying to take over the fruits of his labor. Philips let him in a little, apparently, but I would imagine it was like taking candy from a child. What about Miss Cook?”

“Very friendly, cooperative person. She, like Holmes, supports the idea that Philips had a hand in the whole affair. Said he and Lang argued constantly about who was boss. You mentioned Christianson saying the same thing?”

“Yeah, nice broken record we have here. Mr. Christianson is planning on leaving the firm pretty soon because of all these problems. He played the mediator in a lot of situations, intervening whenever Holmes got into a scuffle with Lang or Philips. Walters sided with Philips, saying Holmes did it. He also believes it could’ve been a burglar. Now, how do you like that one? By the way, what was stolen from the office again?”

“Couple of laptops, petty cash, and a laser printer. Cook said the people above them had their laptops and speaker phone taken a few weeks ago. Total number of times the firm’s been burgled is three. And they’ve all happened about a month apart.”

Chan put down his fork and took out the sketch artist’s composite that Davis helped with. It showed a young white man with small, wire rimmed glasses and a thin face.

The hot afternoon sun hit the inspectors’ faces as soon as they walked out of the Hong Kong Tea House on Kearny Street in Chinatown. They put on their shades and felt their cool, air conditioned bodies get used to the summertime

heat again. Chan sure was going to miss sitting in there. The warm air was stiff and windless and already he could feel the collar around his neck dampen.

Villagomez was used to weather like this growing up in her native Mexico. Long, hot days and cool, endless nights, she thought, smiling. She missed it back home even though she had been in the U.S. for about fifteen years. She definitely felt more Latina than “American,” whatever that word meant. It was always ambiguous to her. Working on this case brought up a lot of emotions about her own culture and how she fit into society. Growing up in Mexico she could walk down a street and not have to worry about people looking at her funny or worry about being treated differently in a restaurant or at a store. But ever since she set foot on American soil she had been the subject of many negative experiences, some harmless and trivial and others more traumatic. Like the time she was walking home from college and these two young white men approached her and started calling her spic and burrito, trying to pretend like they knew how to speak Spanish. One of them had a pit bull dog, holding it by its leash. God, was that dog scary! It wouldn’t stop barking at her. She had always been afraid of dogs and even more so after the incident. The guy who had the leash kept saying to the dog, “Bite her, bite her spic ass.” And he kept giving the leash slack so the dog would come closer and closer. The other guy blocked her so she couldn’t escape... Villagomez would never forget their constant laughter and taunting faces as the dog inched nearer ... even to this day she could still hear the mad bark of that pit bull, see its sharp white teeth, restrained only by a cheap, thin leash.

Her experiences as a police inspector started out less than savory but was not a surprise. She shocked some by rising through the ranks so quickly and penetrating the “old boys club” of the homicide division. Some didn’t like the dark skin, some didn’t like the woman part. Same old crap just a different place. One time she found a note on her desk when she returned from lunch that read: **SHOULD’VE STAYED AT THE BOTTOM, BROWNIE.** The gall of

some people. She would always remember how irritated she was with her first homicide partner, a young frat boy type who worshipped the Ramones, because he never really looked her in the eye when he talked to her. It definitely felt strange to be the only person of color and female in the division sometimes...to know that conversations stopped when you walked in, that some of the men kept looking at certain body parts of hers, or how sometimes you were “forgotten” to be introduced to others or even mentioned. But even through all the stares, whistles, cat-calls, and lewd remarks she had to admit she loved the job. And not everyone was an evil, sexist pig. Look at Chan, he’s a great example of that, she thought, chuckling to herself. At least he doesn’t seem to be.

They got into their departmental sedan parked at the curb and drove off.

Greg Davis sat at the computer terminal, looking at rows and rows of unfamiliar faces on the screen. Faces that he might’ve seen on the street, on the bus, on BART, at the bank, at the mall, or at his doctor’s office. Faces of white men in their early to mid-twenties. Some had long, thin faces while others had round, chubby ones. After a while his eyes started to blur and he had to blink them a few times to get focused again. He had been through this before when he had been carjacked and beaten over in the Mission District. After talking to the police they set him up at a computer to look at mugshots.

He had been at this for an hour, occasionally drinking some ice cold water from a Styrofoam cup on the desk. And worst of all his stomach was growling again. That sandwich and bag of chips was cheap for a reason, he thought.

Chan was sitting at his desk, going through the autopsy report for Lang. *Massive blunt trauma to the skull and brain... Some traces of possible skin are present under the fingernails of both hands, and one fingernail is broken...there is a tattoo of a tiger on the bicep of the right arm...there is a large abrasion on the left forearm and also one on the back of the head...the left arm sleeve of the long white sleeve shirt is almost torn from the body of the shirt...the collar of the shirt is almost torn from the body also...the entire shirt is soaked in blood...no traces of alcohol or drugs in his system...when the stomach contents are washed, they are shown to consist of particles of white meat, possibly chicken, rice, and black beans.*

Chan remembered being down at the medical examiner’s office with Villagomez for the autopsy. He kept looking at the remainder of Lang’s face lying on the shiny stainless steel work table, and thought about the amount of hate the killer must’ve possessed when they swung the bat down over and over again. Such rage and velocity. What compelled the excessiveness of violence? Did Lang know the person?

He chuckled at a comment Dr. Marshall made about

what was inside the victim’s stomach. “Chicken, rice, and beans, huh? Doesn’t seem like what a bigot would eat. Wouldn’t it be more like meat and potatoes?”

A few minutes later Chan heard Davis say, “That’s him,” in an excited tone of voice. He walked over to where Davis was sitting and looked at the face he had pointed out. It looked like the same guy in the composite. His name was Edward Sommers.

“You’re absolutely sure?” Chan asked.

“Positive.”

Chan printed out the information on Sommers and read it carefully. He was a small-timer in the field of computer theft and was involved with the selling of it on the black market. He was also caught trying to steal classified files from various corporations, including a few in Silicon Valley. No past felonies that included murder or assault, however.

Frank Holmes watched his son Jason throw a Frisbee across the wooded clearing to his sister, Cynthia. She ran back quickly about ten yards and caught it by jumping in the air. Jason was a tall, skinny kid, taller than his father by a couple of inches or so while Cynthia was shorter and a little on the chubby side. Holmes thought the contrast was cute. Both went to the same high school. Jason was the bookworm, always reading up for class or indulging in a science fiction novel. Cynthia was the extrovert who went to dances with her friends and was on top of all the classroom gossip. And both thought about becoming lawyers in the future. Wow, Holmes thought. Am I being that good of a role model? I always thought my first impressions sucked.

It was a warm, sunny Fourth of July and Holmes and his family had staked out a good barbecue spot in an area of Tilden Park near a children’s merry-go-round. The park was located in the Berkeley hills, across the bay from San Francisco. Other families were nearby, putting charcoal under their grills and pouring lighter fluid to get the chicken wings, hot dogs, and burger patties going.

At their picnic table was Holmes’s wife, Karen, and his mother and father, Jack and Rose. Karen was taking the lids off of plastic containers that had potato salad, mixed greens, and fruits in them. Holmes himself had a cook’s apron on and was flipping the chicken wings and hot dogs around. He sniffed the air above the grill and smiled. Man, did that smell good, he thought. It was going to be a great Fourth of July. They had delicious food on hand, recreational sports to play later, gorgeous weather, and stimulating conversation. What more could be asked for? It was good to be away from the office and San Francisco, even if it was only temporarily. Being there had brought up a lot of anger and depression. He had started questioning his own identity and self-confidence. But now he couldn’t hear the voices of Philips,

Walters, or Lang...or even picture them in his mind. He only saw his own family having a good time and that was all that mattered. Yep, watching his daughter jump up in the air to make a catch or see his wife laugh heartily at a joke his mother made. It almost brought a tear to his eye to see his mother and father kiss and embrace earlier. It made him feel

like a kid again.

“Got it!” Cynthia exclaimed, as she made another leaping catch.

“All right!” Holmes said, clapping his hands.

Yep, it was going to be a great Fourth of July.

IV

Chan was standing by the interrogation room’s one-way viewing glass, looking at an open file that contained the lab results regarding the fingerprints lifted from the law firm. The prints on the screwdriver belonged to Edward Sommers, who was sitting behind the glass in the interrogation room, looking nervously at his hands. His prints were also among those that were found on Lang’s desk, the handles of some of the desk’s drawers, the arm of a chair, various items that were lying on the floor, the main front doorknob, and the doorknob to Lang’s office. The lab technicians had also discovered a few short, dark brown hairs on the carpet near where the body lay. And those matched positively with Sommers’.

Chan closed the file and looked through the window at him. “Where did he say he was at the time of the murder?”

“At the building, but on the floor below the law office,” Villagomez replied, taking another sip from her mug of coffee. “Says he swears on the birthplace of Bill Gates.”

They left and went into the interrogation room. Sommers looked at them briefly, then went back to studying his hands.

“You okay there, Mr. Sommers?” Chan asked. “Sure we can’t get you a glass of water or something? It’s awfully hot outside, you know.”

Sommers shook his head without looking at them. “No, thanks.”

“So, you were there around the time of Mr. Lang’s murder, huh?” Chan asked, pulling up a chair to sit in, right next to him. Sommers shifted a little bit away.

“Yeah, but I wasn’t in that office. I already told her that,” Sommers said, nodding his head at Villagomez. “I was a floor below...had nothing to do with it, okay? I’ve never killed anyone in my life, never.”

“That’s odd because we found your prints on certain places, like the doorknob to Lang’s office, on his desk and chair, and on objects found on the floor. Not to mention the main front doorknob, which was picked by you. Some of your hairs were lying not far from the victim. Now, how do you explain all that?” Chan asked, his voice perfectly calm.

His calm voice and the placidity of his body language was making Sommers sweat. He kept looking at his hands, rubbing his fingers against each other. He paused a moment before speaking, swallowing saliva. “...I don’t know. I mean, I guess it’s because I was in there before the guy was actually killed, you know? I took some stuff from his office before going to the floor below.”

“Do you remember what time you got in his office and what time you left?”

Sommers stopped to think, sighing. “Uhhmm, I don’t know...maybe around twelve o’five and probably left about twelve ten.”

“And immediately after that you went to the floor below?”

Sommers nodded.

“God, how many offices did you burgle that night?” Villagomez asked.

“You own a baseball bat?” Chan asked.

Sommers shook his head, thinking about something. “It’s funny you mentioned that though...’cause I saw this other guy at the building that night that was carrying one.”

“What other guy?”

“Young guy,” Sommers said, conscious of his own youthfulness suddenly. “Well, definitely younger than me, was in his teens I’d guess...and there was all this blood on the bat. It was creepy.”

Chan looked at Villagomez. “Where did you see him?”

“Exiting that law office. I went back up there to try to get the screwdriver. I had forgotten that I left it there,” he said, shaking his head. “But when I saw that kid with the bloody bat I just freaked and took off.”

“How did he look like?”

Sommers sighed, shrugging. “Uhhmm, he was white and was skinny...had long reddish hair tied back in a ponytail. Looked like he was in high school. Blood was soiled all over his clothes.”

He was thinking about his father suddenly. He thought about some of the good times they shared together and the

bad ones, too. Too often the negative outweighed the good. But then there were things like that trip they took to Yosemite a couple of years back. That was a lot of fun: camping out in the woods and telling stories around the fire, taking long, summer hikes with the glare of the sun always in your face, swimming around and acting goofy in the lake, and riding horses around the park. He really liked that. That was his first time riding a horse. His father told him that camping taught you how to become a man because it allowed you to learn how to survive out in the wilderness. Then there was that trip to Italy and Germany they went on. God, the ruins of some of those places was incredible. How could things like that still be standing? he wondered. It was there in Rome, he remembered, that he had made his first international pen pal. It was a girl around his age named Betty; a sweet person whose shapely curves turned him on immediately. No, he didn't lose his virginity on that trip (but oh, how he had hoped!) Instead, he made a good friend who sent him e-mails once a week.

It was in Germany that his father really irritated the hell out of him by making some inappropriate remarks, and that was also where he acted like a fool. They had visited one of the sites where Jews were tortured and executed, he forgot which one, and his father gave the Heil Hitler salute! Jeez, what the hell was he thinking? It was like hello there, have you read your history books lately, dad? And he did it in front of these Asian and French tourists like they weren't even there! God, his face turned cherry red that day. When the docent started talking about the gas chambers, his father said something like, "Wanna take a shower, honey?"

Sometimes he would just sit in his room and wonder why his dad was the way he was. Why couldn't he be like the fathers of his friends? Why couldn't he be hip and be into rap music or language? When he told him that he was taking Spanish this year he told him that he should drop it. Then there were other things going on at home that made him boil up...like the screams and arguments between his father and mother at three in the morning...or hearing his mother sobbing quietly by herself in the living room. He would take her into his room and comfort her, and let her sleep in his bed for the night...sometimes he would look at his own bruises and cry, trying to make sense of it all. Maybe running away was the answer, maybe it wasn't. If he didn't care about his mother he would seriously consider it.

He sighed, looking at some blood under one of his fingernails.

No one answered the bell.

Chan rang it again, looking at the black BMW in the driveway. A few seconds later they heard footsteps approach the door, and Frances Lang opened it, a surprised

look on her face.

"Oh, hello there," she said.

"Mrs. Lang, is your son home?" Chan asked.

Concern showed on her face. "Why do you need to see him?"

"We just wanted to ask him some questions, that's all."

"Oh," she said simply, pausing a moment to think.

"Sure, come on in. Let me see if he's awake. I think he took a nap earlier."

They followed her into the house and down a hallway with hardwood floors until they reached the end. She knocked on the door there.

"Yes?" asked a young male voice.

Frances told her son the police wanted to talk with him. He mumbled an 'okay,' and they entered the room. They saw him sitting on his bed, a despondent expression on his face. His eyes were watery and he wiped them with some tissue paper. He looked at the inspectors with those sad, wet eyes.

The room was dark because the curtains were still drawn, and Frances walked over to the window and opened them, exposing posters of rock bands and movies on the white walls. Scattered on the burgundy carpet were comic books and numerous compact discs. A personal computer sat on a desk near the window.

From the corner of his eye, Chan noticed a shiny wooden baseball bat lying just underneath the edge of the bed. "How are you feeling, Chris?"

"Really awful," he replied in a low tone of voice. He looked at his mother with a pained expression on his pale, bony face that was full of pimples.

"What's on your mind?"

He shrugged, sighing. "Oh, nothing much...just thinking here and there about my dad. It feels weird to know he's gone...to know he won't be walking through the door later at six or seven, you know what I mean?" He stopped to think about something. "I wonder if I'll miss him."

Chan nodded. "Before I go any further, Chris, I just wanted to let you know that we do have a witness that can place you at the scene of the crime that Tuesday morning," he said, and advised him of his rights. "How old are you?"

"Sixteen."

Chan looked at his mother. "Then you can speak up for him."

Frances stared at him. "I can't believe this...why on earth would he want to kill his own father? Tell me...this is crazy," she said, shaking her head. She looked at Chris. "Don't say a word. I'm going to call our lawyer, all right?"

Chris didn't look at his mother. He still looked depressed.

Chan looked at the bat again.

"I see you're a baseball fan," he said, nodding at the bat under his bed. He walked over to it and picked it up, running his fingers across the smooth wood finish.

Chris looked at him, then at the bat. "Yeah, I like to play once in a while."

"Just once in a while?" Chan asked, watching his facial expression carefully.

"Don't say anything, Chris," Frances warned. She looked at Chan, fuming. "Why are you trying to accuse him of murder?"

"I haven't accused him of anything," he said, looking at Chris calmly. That calmness was making Chris sweat. Beads of perspiration were running down his thin face.

Suddenly, he got up and started to walk away nervously from the inspectors. He was trembling.

"Chris, what's wrong?"

Chris ignored his mother, and started pacing the room uneasily, occasionally looking at Chan.

"Sure you weren't near your dad's office that night?" Chan asked. "That you weren't taking a few swings around there? I bet you've got a good batting average, kid." He looked at the bat in his hands, running his fingers across it again. "We found a nice looking bat that looks just like this one in a dumpster near the law office. Glossy wood polish except for all that blood, hair, and bone sticking to it."

"So what if you found a bat that looks like that one? There must be millions like those out there. I wasn't near his office."

"Chris, I told you to be quiet!" Frances said.

"Then where were you?" Villagomez asked.

He looked at her hesitantly. "...Uhhh, I was right here, studying. Right, mom?"

"Why are you doing this to yourself?" she asked frantically.

"C'mon, tell them. I was right here, remember?" he asked, raising his eyebrows in a gesture to try to get her to play along.

Frances appeared totally confused and defeated, throwing her arms up in the air futilely. "I give up! — I can't, Chris. I love you but I just can't."

Chris stared at his mother quietly for an awkward moment. Then abruptly, he tried to run for the door but

Chan caught him in time and held him tight. Chris started thrashing wildly, kicking his legs and throwing his arms around.

"Calm down!" Chan said. "Calm down! I'm not going to hurt you, okay? Okay?"

He nodded after a long moment, then stopped struggling. Chan lowered him to the ground, and he sat back on the bed, trying to regain his composure. A long silence ensued where he just sat there looking at the bat near his feet with glassy eyes. "Oh, man...oh, man. I'm sorry," he said finally, sighing heavily. "To him, I was a stupid, lazy person who would never amount to anything...God, I was so sick of his lectures, of the abuse, of being scared all the time. I didn't want to see me or Mom get hurt anymore, you know?" he said, looking at the bruise on her hand. "And I didn't want to hear his racial jokes. I have friends who are minorities and I never felt comfortable bringing them home because of him. I mean, what would I tell them? Please excuse Daddy, he's just a racist bigot." Chris sighed, thinking. "And how would I explain to him about Naomi? She's this black girl I met recently. I really like her and we've been dating a lot, you know...actually, I did tell him and he yelled at me and called me a nigger lover and that I was fucking a black whore bitch. He said it was all wrong, that it was a mistake...he never listened to my side of it. Anything that concerned non-whites wasn't worth his time...dad even slapped me a couple of times and told me I was a skinny ass faggot who couldn't get himself a white girl. He kept yelling how could he have such a loser for a son, and he said I had to break it up with Naomi or he would kick me out of the house or do worse."

Chris shook his head. "What the hell was wrong with him? Why couldn't he just open his damn mind up like everyone else? All this anger kept building up inside of me until I couldn't take it any longer...I had to do something." His eyes remained on the wooden bat.

Frances was in tears, looking at the bat with her son.

"I'm sorry, mom," he said, looking at her. "But don't you realize something now? We're finally free."

THE END

The author would like to thank Detective Joe Sanchez and Dr. Thomas Rogers for their technical assistance.

Happy Mother's Day

Should have - could have - didn't.
Needed to - wanted to - missed it.

I saw her lifelessly stare into my soul. She was the only pure love of my life, and I could not look her in the eye. She had always been in my corner - always. My best friend and I could not face her. It had been her way of life and her choice. A couple of times I couldn't even hear her breathe - the oxygen machine drowned out any other sound. Sebastian - this is meemaw - daddy's mommy. "Daddy, how come she has the tube in her nose?" - and all I could do is look away. She had always been sort of skinny, but now she was about half of the size I remember her. Dad talked to her as if she were in perfect mind - and all I could do is look away. We stayed there 4 nights - I cried myself to sleep every night. It's not supposed to happen this way - you are supposed to want to live. For some reason, I think that she could understand. I could not look her in the eye, I could not seem to stay around her. Mom had been the one that taught me how to save the tears, but that wasn't working.

She had dinner with us one night - I think she ate 3 bites. Dad said that was her largest meal in weeks. I wouldn't know, I stared at the table the entire meal.

And the hum of the oxygen machine drowned out her gasps for air.

We specifically made the trip just to see her - but I wasn't really there.

All I could do was remember the woman that taught me wrong from right

All I could do was hold back the tears until later that night.

We all knew that she was going - I just could not really make it stick in my head. My childhood best friend. I was 28 and wondering who was going to put the band aid on my hands and elbows when I fell again. "Daddy, are you mad at your mommy?" "No buddy, I'm just ... just hoping I never have to explain this to you." "Daddy, when will your mommy get better?" - and all I could do is look away.

We made the trip again 3 weeks later. I have never had to lay a friend to rest. Three little boys said goodbye to their mommy that week. Reality - your sting, your touch, I find it - too much.

My heart is 2 years heavier with grief, my soul that much weaker. I said goodbye, but didn't say farewell. I laid her to rest, but didn't give my best. I was there to say goodbye - all I could do was say goodbye.

The saddest moment in my life:

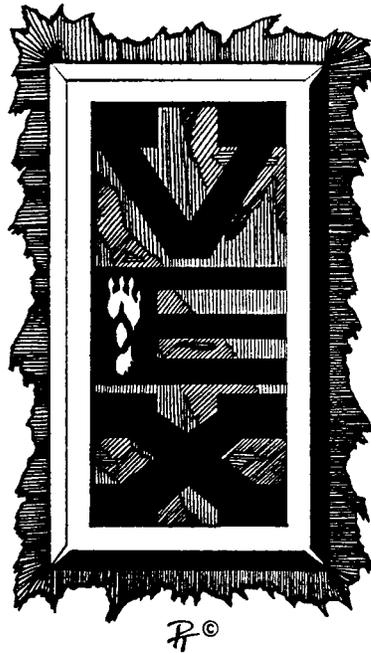
Mom's mother died when she was 4. She had been raised by her grandmother - who now had to be introduced to you every time she blinked. I had to convince her (five times or more) that I was indeed the "little guy" she was still so fond of. She really didn't understand why she was there. The eulogy was fantastic - I had learned more about my friend in 10 minutes than I had ever thought. Everyone loved her - and she loved them. The last part of the service was the viewing. Friends passed - gave a sorrowful smile and passed on. Relatives stopped and hugged each other and then turned to us to express their love, sorrow and understanding. They wheeled grandmother slowly to the casket. She was still smiling from getting to "meet" all of her grandchildren again. She passed by my pew and our eyes met. She mouthed "my little guy" as she had done so many times in years passed. And then she smiled. It was not until they placed her in front of the casket that she realized what was actually happening. "Oh my baby!" she cried, seeing the presentation of the little girl she had raised. Of all the pain I have ever been exposed to, that moment was the most gut wrenching. As I write this, I have had to stop here several times. Later, I felt guilty, but in a way relieved - she would forget it forever - once the day was done. Mothers' memories would remain with grandmother as though mom had never aged past twelve. But that one moment of grandmother's serenity, was my greatest moment of pain.

A "peace" of me died that day. I thank God for what I have - and for what I have lost I thank God for what I have

I wanted to send you flowers - or buy you a card. I wanted to tell you that I love you. I wanted to say goodbye. I wanted to kiss your cheek. I want the image of you in a box to go away. I wanted most of all for you to look back at me that day.

I guess I just wanted to know you smiled when I said "Happy Mothers' Day"

- Guy R. Qualls



SKISTED





HE IS TWISTED LIKE AN OLD KNARLED TREE. ABUSED BY WIND AND RAIN, HIS SPIRIT IS BROKEN. HE LASHES OUT AT THE COLD WINTER SKY WITH A FLAMING RAGE TAKING OUT HIS ABUSE ON THE REST OF THE WORLD AND NOT CARING WHO OR WHAT HE HURTS. HE GREW UP IN A WORLD FOREIGN TO MANY. A PLACE THAT IS COLD AND DAMP.

HE IS SIMILAR TO OTHER MEN BUT JUST A LITTLE MORE TWISTED. I SHOULD PITY HIM? I CAN LASH OUT AT HIM WITH EQUAL RAGE LIKE HE WOULD EXPECT, BUT WOULD I BE ANY MORE RIGHTEOUS? I DON'T KNOW.

I LOOK OUT ON HIM. I SEE AN OLD KNARLED TREE SO COLD AND DARK IT LEAVES ME EMPTY.

⌘

Nothing but a man

Angels – Demons
Saints – Sinners
Winners – losers
Oldtimers – beginners
Mix and match it
Until it is right.
Twist it and fold it
Until it is right

Call it a name no one understands –
We will just call it - nothing but a man.

Guy R. Qualls
Outta the Void

This Issue's Contributors:

Derek Muk

Derek's short story "Jerry" was published on the ESC! Magazine web site in the Fall of 2000.

Derek lives in California and works in the social services field with developmentally disabled adults. His fiction (all printed media) has appeared in "The Pinhurst Journal," "Mystery Forum Magazine," "Hardboiled," and "Kracked Mirror Mysteries." He has also had a chapbook of three short stories published by Gryphon Publications. He has fiction forthcoming in the online magazine, "DeathGrip."

Guy R. Qualls

Guy was previously published on the ESC! Magazine website in the fall of 1998.

Guy was born and raised in West Texas. A former "Gulf War Volley Ball Veteran", Guy enjoys spending his time both indoors and out pursuing his hobbies of wildlife photography and computers. Guy feels his greatest asset is his family who he "takes too much for granted and appreciates far too little." In his own words: "Everything is dedicated to Mom -- she was the greatest fan a person could have ever had!"

Paul B. Tucker

Paul's work has graced many covers of ESC! Magazine including the Premier issue back in 1992. In addition, Paul has contributed his beautifully written and illustrated continuing story "Vex". Most recently, Paul designed the new logos for both ESC! Magazine and ESC! Publications. Paul lives in Chicago, IL and works as a professional illustrator for an advertising agency.

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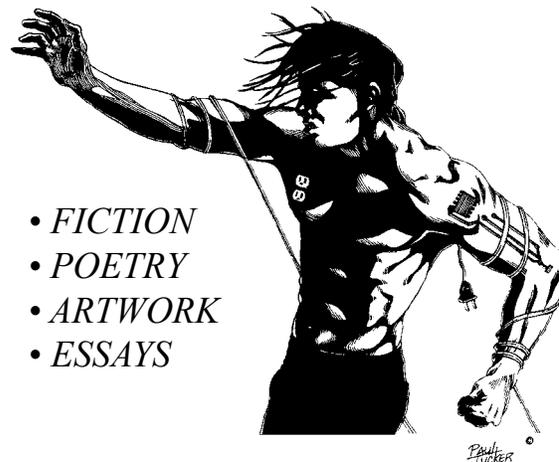
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