

A Flawed Man

By Carissa Chesanek

I stare blankly through the smudged plexiglass. The person on the opposite side is saying something, but I've yet to pay attention. A lot of useless yammering I suppose. Pointless words getting lost through his receiver. Words that no longer have any impact.

A jab of the person's finger against the plexiglass wakes me from my self-loathing stupor and our eyes finally meet for the first time since he's been here. The man across mouths for me to pick up the phone, pointing to my receiver then jabbing at the glass again for a bigger impact.

I sink deeper into my metal chair. The once fleshy part of my body now provides no comfort between the metal and my rear. I've lost far too much weight to even recognize myself when I look in the mirror, and now sitting is a chore.

My left hand that's slumped in my lap slowly lifts and reaches for the black receiver -- the old friend I grew accustomed to these past 5 years locked up in the state penitentiary. A friend I once longed for; the gift of voice sparked from the other end is now just a distraction.

I breathe in deeply before picking up the handset. I look through the plexiglass again and see the man before me. A trusted man who once brought me such hope. A man with courage, strength, and promise, now looks at me with an expression I have yet to see since the trial. Sadness. Disappointment. Whatever it is, it drips from his face like droplets of a melting icicle come the thaw of spring.

I hear someone call my name and realize I haven't placed the receiver to my ear. I'm still holding it in midair, staring blankly at my trusted lawyer across the glass divider.

Swallowing hard, I reluctantly put the receiver in its proper place, propped slightly on my shoulder.

"David," the familiar voice says on the other end. "David, I'm so sorry."

My eyes glance down at my feet shackled tightly side-by-side. I move one foot a few

Writing Raw

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inches to scratch the other which makes the chains rattle together. It's a habit I've grown familiar with: moving my feet to hear the chains, making sure this is all still real.

"David?"

I look up again at Mike, my best friend of 14 years and criminal defense lawyer for the past 5. His face stares back at me. The lines around his eyes are now more profound than I remember. The circles under his promising blue eyes are also deeper, and the once clean shaven all-American golden boy is now covered in untrimmed scruff. He looks tired. I guess he should be since he put up a good fight all these years, defending his friend when no one else believed of his innocence. Oh yes, a fine fight indeed, even if he is the one on the other side of the glass. The one who is free and gets to go home at the end of each day.

"How are you David?" He squints as if it hurts to ask. "How are you holding up in there?"

I stare at him for a while before responding.

"Not great Mike."

"I'm so sorry David, I did everything I could."

Bowing my head down, I'm forced to stare at my shackled feet again. My head falls heavy into my right hand. I'm too tired to keep it up.

"I didn't do it," I whisper into the receiver. "I could never do it."

"I know David," Mike says. "I know you didn't."

My head lifts as I look back at Mike.

"Then why didn't they?" I ask. "Why did they think I did it?"

Mike breathes in deeply.

"Because you were the only one on the scene. It was only your DNA found in the crime scene--"

"The crime scene?" I bark. "You mean my home? The home I bought with my wife 7 years ago?"

Mike looks down at his hands.

"Yes, David."

He looks back at me and for a moment we're silent. He realizes he's still talking to me in "lawyer" mode.

"There was no sign of forced entry, just bloody handprints in the crime--in the home, and on your wife." He swallows. "Your handprints David."

My eyes start to fill and I want to puke.

"I'm sorry David. I know you didn't kill your wife," Mike begins again. "I know it was someone else -- the person you said you saw in the house that somehow made it out without leaving a mark, but the jury just, well the jury just wasn't convinced," Mike runs his hand through his dark, curly hair. "The evidence gave this thing a whole other side for the people to grab hold of."

My head hangs in shame. A ridiculous dishonor for an act I did not commit. But I know how it looks, and who's to say if I weren't one of the jurors I wouldn't have convicted me either. It all sounded so solid. There was a crime. The wife was the only one hurt. Not the husband, the other witness in the house at the time. He was asleep on Ambien after those endless weeks of horrific insomnia. Those sleepless nights of watching the rain fall from the window, spacing out in front of the TV, and rereading the same page of *Inferno* because none of the words stuck right the first time.

But I did wake up eventually. "Groggy and confused" I believe the prosecutor said. Something about me being delusional because of the pills. But the throaty scream I heard was hard not to miss, even if I were "groggy." The scream from my wife. And then there was someone. I know there was. Someone quick in the shadows, then was gone, taking nothing but the life of my wife and leaving me to clean up the mess.

I didn't want to go on sleeping pills but she made me, well, convinced me. "You need your sleep" she said, "you need to move past this." What she meant by "this" was the loss of our 3 year-old daughter Annie, who died the year before. My wife Linda recovered better than I did. She always had that knack of smooth and swift recovery. When they say men are the weaker species, I believe it. Linda was strong, she consoled me even though I was the one

driving that rainy day. The day Annie struck my attention from the backseat, making me turn to look at her; my eyes were only off the road for just a minute. But that's all it took. A tractor trailer hit us head on. I didn't even know our car swerved into his lane, not until the cops told me what happened after I woke up in the hospital.

"David?" I hear Mike say.

I look up at him, realizing I've been drifting off in my own brutal memories.

"Look, there's still something we can do. I can appeal the case. I'll figure something it out, I promise."

Mike's tone is hopeful but his facial expression is something different entirely. He and I both know I won't be leaving this Pennsylvania prison anytime soon. After 5 years of trying to prove my innocence, there is nothing left to do, nothing left to talk about. In the end, there was no hung jury, no lone curious juror wondering if I really did it or not. No, everything was irrevocable. Guilty of first degree murder, and I was getting the death penalty.

"Thanks Mike," I say with a forced smile. "I know you will."

"I'll never give up on you buddy, we still have time."

I smile try to smile again but it only comes off forced. He was right about having time. I could be in here for years before they finally inject me that poisonous venom. Time never seemed like such agony.

"You take care David," Mike says. "I'll be back on Monday to see you."

I nod and try to refrain from choking up. I know that this will be the last time I see my friend.

Mike leaves and a guard escorts me back to my cell. Number 714. After the guard unlocks my hands and feet, he closes the gate shut and nods his head.

I turn around to face my bed looking at the photo I stuck up on the cement wall. The photo of Annie and Linda. My two girls. Smiling at me through the lens. A warm spring day with nothing to worry about besides what we wanted for dinner. Life was simple. You don't think about how much you love the simplicity of it all until you no longer have it.

Writing Raw

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I peel the photo off the wall and hold it in my hand. The nagging pain of loss is far too much. I have no family. My child and my wife are gone, and everyone thinks I'm responsible for both deaths. Annie's? Maybe, but not Linda's. Delusional or not, I know I didn't hurt my wife.

I contemplate on writing a note but decide against it. There is no one left to say anything to. I slip out of my jumpsuit while tightly clinging to my photograph. Looking up at the cement ceiling, I get a sudden chill. Although I'm not a religious man, I still feel slightly immoral for what I plan to do. But what else is there? I can't live here day in and day out wondering when they'll kill me.

I make a knot in the legs of my jumpsuit and tie it around a bar on the small window. While it's not up that high, it's high enough to do the trick. I then slip on the other end over my neck, tying it tightly. Clutching the photo in my sweaty hand, I mumble a few words, mostly telling the girls I'm coming and secretly hoping there is another side where they're waiting. That is, if I'm let in. A convicted criminal who commits suicide isn't technically first choice in the afterlife I assume, but am hoping this time they'll make an exception.

I take a deep breath, kiss my photo and push myself off the wall, making the cloth squeeze around my neck. I gasp for air as the guard walks by. The same guard from before. He bows his head and keeps walking while my arms and legs are flailing. And then after a few more quick breaths, the photo drops from my hand and everything goes black.

The End

Carissa Chesanek bio: Carissa Chesanek is a professional writer in the Miami area. Her work has been seen in Redbook, Forbes Travel Guide, Booklist, The Miami Herald and ZAGAT Miami. She's also an aspiring fiction writer working on short stories focused on love, murder and revenge, along with a psychological thriller novel that was recently nominated for the Freddie Award for Writing Excellence with Mystery Writers of America.