

# *Submission*

## *by Mark Halpern*

### **WHY WE LIKE IT:**

*What surprised was the amount of 'story' the author packed into a short deposition. We love the condensed scenarios that serve to inflate the essentially burlesque characters of the players, a burlesque which, nevertheless, is far from comedic. This is 'in media res' so we wonder what's going to happen once court's in session. All rise!*

Jerry Baxman was always a brute. Once he tried to cut off my arm with a yellow plastic saw. I still have a scar, if you look closely. When we were six, he made me “play wagon,” which was him riding down the driveway and me pulling the wagon back up, again and again. And because of his last name, he said he was Batman and I always got stuck being Robin. If I complained, he'd sit on my head or make me eat grass, but I had to stay at his house every day until my mother got home from work. That's all just “deep background,” to show that some people's characters are fixed.

All my life I've taken crap from people, but I guess Jerry was the first. Anyhow, once we moved after second grade, I thought I was done with him.

Then last February I was at the deli in Bookerville Mall. Someone behind me was making a call on his cell phone. I hear, “it's Jarvis Baxman,” which is Jerry's real name. It's a weird name and he once punched me when I called him “Jarvis jarhead.” I looked and it was definitely him. When his call was finished, I walked over. “Jerry, it's me,

Fred Gelstein.” He waits, and then he remembers. Then, just like that, “Freddy,” he says, “Fungus Freddie,” and starts laughing in front of everyone.

“Don’t call me that anymore.”

“What are you going to do about it?”

“You’re were never Batman, but now you’ve become Fatman. Fat Ass Fatman!”

“Go away. It was bad enough my mother made me play with you. You were a snivelly little weasel and still are,” he said. He rolled his napkin into a ball and threw it at my head. Then he told a waiter I was disturbing him and his family, and the waiter said he’d get the manager.

So I got my glass and splattered water towards him. But it was almost empty and probably not even one drop got on Jerry or his wife. Then, since I’d already paid my bill, I ran out into the mall and got away quick. Keeping the glass was just a mistake – I don’t think the deli cares.

That’s all that happened. I swear. Everything else Jerry wrote is pure B.S. I guess he’s mad because I finally stood up to him. He’s the one who’s a weasel.

If you’re going to judge us, you should understand us as individual human beings with a history. You shouldn’t judge according to rules that apply to strangers. I was just a kid when he did all that mean stuff, but it still bothers me. Like I said, all my life I’ve taken crap. Please make it stop here. Anyway, he threw the napkin before I threw the water. And he said “Fungus” before I said “Fatman.”

All the foregoing is respectfully submitted to This Honourable Court of Small Claims. Is that OK?

**AUTHOR’S NOTE:**

*Impulses:*

1. *To write my first flash fiction piece. So I set a 500 word limit.*
2. *To write my first story not about Japan. So I turned to my brief time as a litigation lawyer in Toronto.*
3. *To exploit the irony that I now write submissions to literary journals, but once wrote submissions to courts.*
4. *To write about childhood (after having written a story about a creepy adult). So I thought about childhood and recalled some bullies.*
5. *Well, small claims court is best, since you don't need a lawyer. And the funniest disputes are those rooted in personal relationships. So I started writing.*

**BIO:**

Mark Helpern has lived since 1993 in Tokyo where he runs his own law firm and writes stories about foreigners in Japan. He was born in America, grew up mostly in Canada and has also spent much time in the UK and France. As for Japan, Mark has, like some of his stories characters, found a way to be both an outsider and an insider. From 2018 on he has been published in Grey Borders Magazine, Crack the Spine, The Evening Street Review, Gravel, Blank Spaces, Lowestoft Chronicle, BoomerLit Magazine, Tigershark Magazine, STORGY, Spadina Literary Review, and the UC Review, with one nominated for the Pushcart Prize.