

Question One

One Hour

Adam and Bessy were dairy ranchers. The drought caused low milk production, and they were about to go broke. To increase the amount of milk to be sold, they decided to add their overstock of tequila to the milk. When the buyer, Clover, came to pick up the days production, he noticed that the production was more than it had been, but gladly paid the extra \$100.00.

The next day Clover bottled the milk and placed it on the shelf of his small retail store. He noticed that it had an agave (plant used to make tequila) smell, but sold it anyway. Dana, allergic to agave, purchased a gallon of milk from Clover. After drinking the milk, she became ill and subsequently lapsed into a permanent coma.

Dana's husband, Dr. Eduardo, a pathologist, quickly discovered that it was the milk that led to Dana's coma. Angry and grieving her illness, he asked his assistant, Francie, to help him take care of Clover. Thinking that Clover maybe ill, Francie agreed. The next night Eduardo and Francie went to Clover's house. With Homicide on his mind, Eduardo brought with him a syringe with a lethal dose of arsenic. Clover let them into the house on Eduardo's pretext that he wanted to talk to Clover about a business deal. Francie, confused, went along.

While Clover excused himself to the restroom, Eduardo handed Francie the syringe and told her to inject Clover upon his return and that "would take care of him." Secretly in love with Eduardo, Francie said, "Anything for you Doctor", with a wink.

When Clover reentered to the room, Francie bolted from her chair, syringe in hand, lunging toward Clover. Clover, fearing Francie, grabbed a large vase and whacked Francie in the head, killing her instantly.

Scared that he was about to be next, Eduardo, grabbed a shard from the broken vase, and stabbed Clover in the neck and bolted out the door. Clover survived.

What crime or crimes have been committed by the parties, if any? Answer at common and modern law.

Question Two

One Hour

Rye, Sye, and Tye had known each other since High school, and were currently college roommates, home for summer break. Before going back for their last year, they wanted to make this summer a memorable one. Sye suggested that they all go for a beer run, by grabbing a 12 pack, running and not paying for it from Uye's Liquors. Rye and Tye agreed that it might be fun.

Later that night, they went to Uye's. As planned, Sye diverted Uye's attention, while Tye and Rye went back to the beer cooler. Tye grabbed a 12 pack, while Rye stuffed his pockets with candy bars. When Tye noticed, he begged Rye to put the candy back. The ruckus sparked Uye's attention and when he saw and heard what was going on, he yelled at the trio to leave his store. Rye, suffered from diabetes and was about to have a seizure and needed sweets immediately. He pulled a Snickers bar from his pocket and chomped it down. Uye, angry, swatted the remainder of the bar from his hand. Knowing that Rye needed sweets, Tye tackled Uye to the floor. Sye yelled, "Forget it guys. Let's just get out of here!" The boys ran toward the front door with Tye snuggling to a 12 pack and Rye, feeling better, a pocket full of Uye's candy bars in his pocket. Uye, angrier, pulled out a firearm and wildly shot in their direction hitting Sye. Sye died just outside the door of Uye's Liquors.

Rye and Tye, jumped into Rye's car. Rye peeled out of the parking lot. Scared, Tye begged Rye to stop, while he quickly chugged down eight beers.

Rye dropped Tye off at Tye's parent's apartment. Drunk, Tye accidentally wandered into the adjoining apartment and slid into bed with Vye. Thinking that Tye was a rapist, Vye cut off his penis with a butcher knife that she had hidden under her pillow for an event such as this.

What crime or crimes have been committed by the parties, if any? Answer at common law and modern law.