

Question 1:

People v. Amy

1. Burglary (Common law and/or Modern law)
 - A. Was there an intent to commit a felony upon the entry?
 - B. What is the significance of the cord being attached to the inflated cow (half in and out)?
2. Larceny – Inflated Cow and attached cord
3. Larceny – Earrings
 - A. “Intent to deprive”
 - B. “of another” – Claim of Right/Mistake of Fact defense
4. Homicide – Bob
 - A. Express v. Implied Malice (Common law v. Modern law)
 - i. Felony murder? Inherently dangerous felony?
 - B. Mitigate to Involuntary Manslaughter
5. Assault/Battery and Mayhem of Carl’s nose

People v. Carl

1. Malicious Mischief – Inflated Cow
 - A. “of another” or his own property?
2. Assault/Battery – Amy
 - A. Modern v. Common Law Assault?
 - B. Was there an application of force?

Question 2:

People v. Donna

1. Embezzlement v. Larceny - \$1,000
 - A. Possession vs. custody of money?
 - B. Does the taking after being fired have significance?
2. Burglary – Wall safe (Modern v. Common law)
3. Homicide – Franci
 - A. Murder? Was there malice? Implied or express? If implied, how?
 - B. Mitigate to Voluntary Manslaughter – heat of passion, etc.
 - C. Mitigate to Involuntary Manslaughter – Misd. Manslaughter or criminal negligence?
4. Robbery/assault/battery/larceny-diamond ring – Franci
 - A. Force, fear, threat, or violence?
 - i. Pre-post death?
5. Burglary – Pawn Shop (Modern v. Common Law)
 - A. Intent to commit a felony or theft related offense upon the entry?
6. Attempted False Pretense – Money from George for ring
 - A. Preparation v. Perpetration/substantial step toward the commission of the target offense
 - B. Does the fact that she did not have title to the ring have any significance?
7. Attempted Murder v. Assault and Battery – Efrain
 - A. Specific intent v. general intent to cause death or harm

People v. George

1. Attempted False Pretences v. Attempt Larceny by Trick-diamond ring
 - A. “of another” or his own property?