

Criminal Law final Exam Summer 2011 Outline-Question 1  
Pozzi

**People v. Anna**

1. Mayhem-
  - Malice?
  - Defense of others?
    - reasonable mistake of fact?
2. Homicide of Baily
  - Malice? Felony Murder?
  - Defense of others?
    - reasonable mistake of fact (lawful homicide)?
3. Burglary- C.L. vs. M..L- Freddie and Eddy's
  - Intent to commit a felony(therein)?
4. Assault and/or Battery- on Anna (running into her)

**People v. Freddie and Eddy**

5. Conspiracy- to commit murder of Anna
  - Defense of self/habitation/others?
6. Attempted murder- Donna
  - Defense of self/habitation/others?
7. Kidnaping/false imprisonment of Donna- dragging Donna into the house
  - Defense of self/habitation/others?
8. Assault-on Anna (throwing household items)
  - Defense of self/habitation/others?

**People v. Donna**

9. Assault- on Anna
  - Threat to do to her what she did to Baily
  - C.L. vs. M.L.

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**People v. Raul and Spike**

1. Conspiracy-to commit Burglary/Larceny
  - Modern vs. Common Law (Felony vs. misd./overt act)
  -
2. Burglary- Common Law vs. Modern Law- Bank of Cowafornia
  - dwelling house of Uva?..or trespasser?
3. Attempted Larceny-money from bank/ vault?
  - Intent to permanently deprive?
4. Conspiracy with Tina?

**People v. Tina**

5. Conspiracy- to commit burglary with Raul and Spike?
  - meeting of the minds/combination for an unlawful purpose? If so, unlawful homicide of Spike-withdrawal of conspiracy plan?

**People v. Spike**

6. Conspiracy to commit larceny with Uva
  - Defenses-Insanity of Uva (no meeting of the minds/combination for an unlawful purpose-unilateral conspiracy?)

**People v. Uva**

7. Burglary-Bank of Cowafornia-C.L.vs. M.L.?
  - intent to commit a felony therein-trespasser only?
  - Insanity defense
8. Attempt Larceny of money from bank-Insanity?
9. Conspiracy to commit larceny with Spike-Insanity?
10. Homicide of Spike- Felony Murder? Insanity?

**People v. Raul**

11. Homicide-Spike
  - Felony Murder?
  - withdrawal of co-conspiratorial plan-breaking off crimes which are not natural and probable consequence of underlying plan
12. Larceny- eggs
  - Intoxication defense?
13. Burglary- Chicken coop
  - Dwelling house? Was it within the curtilage?
  - Intoxication defense