

Empire College School of Law School
Professor Pozzi
Criminal Law – Final Issue Outline

Question 1

People v. Adam

Conspiracy to commit False Pretenses of \$ from Clover
False Pretenses of \$100.00 from Clover
Assault and Battery on Dana's condition- causation?

People v. Bessy

Conspiracy to commit False Pretenses of \$ from Clover
False Pretenses of \$100.00 from Clover
Assault and Battery on Dana's condition- causation?

People v. Clover

Assault and Battery on Dana's condition- causation? Did she owe a duty to investigate agave smell?
Unlawful homicide of Francie
-Self-defense?

People v. Eduardo

Conspiracy- with Francie to kill Clover. Could it be an attempted Conspiracy? Meeting of the minds?
Burglary- Clover's house
Intent to murder upon the entry?
-Constructive breaking by pretext entry
Conspiracy to commit murder when asking Francie to inject clover with lethal dose of arsenic?
Attempted Homicide of Clover
Intent to kill? Francie as his agent (willingly or unwittingly)?
Attempted murder/assault/battery on Clover with chard of glass
Self-defense? Does he have this right to regain self-defense privileges?

People v. Francie

Conspiracy to commit burglary and murder with Eduardo
-Requisite mens reas to commit crimes?
-Meeting of the minds?
Conspiracy to commit murder when Eduardo asked her to inject clover with lethal dose of arsenic?
Attempted Murder of Clover
-intent to kill?

Question 2

People v. Rye

Conspiracy to commit Larceny/modern law burglary of Uye's

Larceny of 12 Pack-accomplice/co-conspiratorial culpability

Burglary-modern law of Uye's

Larceny-candy bars

-Necessity due to Rye's diabetes? (doubtful)

Assault/battery-Tye tackling Uye to the floor-accomplice/co-conspiracy culpability

-Defense of others/necessity of Rye needing sweets -choice of evils

Unlawful Homicide of Sye-

· Felony Murder? Death of a co-felon in an effort to thwart the felony? Mitigation?

Burglary- of Vye's

-Defense-intoxication to specific intent crime/ mistake of fact-objectively reasonable?

-Defense-Not the natural and probable consequence of co conspiratorial plan

People v. Sye

Conspiracy to commit larceny/modern law burglary of Uye's

Larceny of 12 Pack-accomplice/co-conspiratorial culpability

Burglary-modern law of Uye's

Larceny-candy bars- natural and probable consequence of conspiratorial plan?

-Necessity due to Ryes diabetes? (doubtful)

Assault/battery-Tye tackling Uye to the floor-accomplice/co-conspiracy culpability

-Defense of others/necessity of Rye needing sweets-choice of evils

People v. Tye

Conspiracy to commit larceny/modern law burglary of Uye's

Larceny of 12 Pack

Burglary-modern law of Uye's

Larceny-candy bars- natural and probable consequence of conspiratorial plan?

Withdrawal from conspiratorial plan?

-Necessity due to Rye's diabetes? (doubtful)

Assault/battery-Tye tackling Uye to the floor

-Defense of others/necessity of Rye needing sweets -choice of evils

Unlawful Homicide of Sye-

-Felony Murder? Death of a co-felon in an effort to thwart the felony? Mitigation?

Burglary- of Vye's

-Defense-intoxication to specific intent crime: mistake of fact-objectively reasonable?

-Felony therein?

People v. Uye

Assault/battery-swatting candy bar from Rye's hand

-defense of property-reasonable force?

Unlawful Homicide of Sye

-Self defense? Excessive force? Mitigate to manslaughter

People v. Vye

Mayhem of Rye's penis

-defense of self and habitation