

QUESTION 1
(One hour)

One night, Justin, a homeless drug addict, needed a place to use the bathroom. He noticed a house with the backdoor ajar and no lights on. Justin slipped through the opening in search for a bathroom. At the end of the hall, he opened the door and found the bathroom.

After relieving himself and using all of the toilet paper, he noticed a mirrored cabinet mounted in the wall. He looked in the closed cabinet for any drugs he could take to support his addiction. He found two bottles of prescription strength Motrin. He put the bottles in his backpack. Upset that he did not find better drugs, he slammed the cabinet door causing the mirror to shatter. Scared by the shattering glass, he decided to put the pills back. On his way out he noticed a large table by the entryway that had equipment for printing checks and a stack of blank checks with different people's names on them. He grabbed the checks and left.

Moments later, the married homeowners, Khaleesi and Drogo, arrived home. Drogo went into the bathroom and cut himself on the shattered glass. He fell over and sustained more cuts to the point that he was bleeding profusely and would die without medical help. He could not reach his phone to call 911, so he called out for Khaleesi.

Khaleesi secretly hated her husband because he made so little money that she could only get fancy things when she used her fake checks. She told Drogo "I hate you! You never bought me fancy things and for that I'm not going to help you."

Angry, Drogo picked up a heavy Cow statue that had been used as a door stop and threw it at Khaleesi. The cow missed, but shattered. Khaleesi laughed and watched Drogo die.

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

QUESTION 2
(One hour)

Stephanie, a poor law student, was driving to school one night when she decided to stop off at Frank's Liquors to buy a soda. As she entered, she was greeted by Frank, the owner. She asked Frank if he sold "Cow Cola". Frank replied, "Of course I do, they are in the back cooler." As Frank pointed towards the back, Stephanie noticed that Frank was confined to a wheel chair.

It dawned on Stephanie that Frank would be an easy target to rob, as she would be much faster than Frank. She walked to the back cooler, opened it and began stuffing her pants with Cow Colas. She exited the store, yelling to Frank, "I got to run. I am late for class."

Later that night, Stephanie told Eric, a classmate, about her trip to Frank's store, bragging how it is so easy to steal from Frank. Eric, who was also in need of money to pay his tuition, decided to stop off at Frank's after school to score some money.

Eric pulled his truck into the empty parking lot at Frank's store. With pistol in hand, Eric approached the front door, but Frank had just locked the door after closing and was inside cleaning up. Eric kicked in the front door, pointed his pistol at Frank and said, "Give me all ya' got." Frank began to laugh and said, "That gun don't scare me none. How do you think I got into this wheelchair?" Eric shot above Frank's head into the wall behind in hopes to scare Frank into compliance. Frank just kept laughing without a blink of an eye.

Unbeknownst to Eric, Frank's wife, Sarah, was asleep in the back. They had moved into the storage room after their home burned to the ground the previous year. Sarah was hit by the bullet. Frustrated, Eric pulled out a knife and tried to cut the gold chain off Frank's neck. Frank raised his arms in defense and Eric inadvertently cut off Frank's pinky finger.

After Eric ran from the store empty handed, Frank called 911 and he and Sarah were rushed to the hospital. Doctors were able to sew Frank's finger back on, but Sarah died.

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