

Mid-Term Examination

Question 1 – 1 Hour

Kim was working at the front counter of her doughnut shop while her partner Lisa was spreading sprinkles over their best-selling item in the back room. The tinkling door bell accompanied Joe's entry, followed by a seated customer's scream when Joe produced a gun from his jacket pocket. Pointing the handgun at Kim, Joe demanded "I want the cash in a bag NOW and a half dozen assorted, no chocolate. To go." Kim laughed and truthfully told Joe "Go ahead and shoot. I've got astrocytomoglioma and less than a month to live." Joe looked uncertain, then he leveled the gun at the nearest customer: "Gimme the money or I shoot this dude!" Kim laughed again and replied "Fine. He smells funny and never tips." The elderly customer clutched his chest and fell gasping from his chair; within 10 seconds he had stopped breathing.

Her decorating done, Lisa emerged from the back room and Joe pointing his gun at her. "You in the apron! Give me all your money or I'll shoot you." Reaching for the cash register, Lisa yelped as Kim slapped her hand away. One of the other customers shouted "Give him the money! He's already killed this man!" Joe looked shocked and exclaimed "I didn't kill anybody. This gun's not loaded; see?" He opened his gun and displayed the empty cylinder to the shop. Customer Ann pulled a petite pistol from her designer bag and fired 6 times, killing Joe and accidentally hitting Kim once in the head. Kim never emerged from the resulting coma; she died exactly 29 days later.

Officer Jane arrived for her morning croissant in time to see Joe and Kim felled by Ann's shots. Emulating her favorite scene from "Terminator," Jane floored the accelerator on her police car and crashed through the front of the shop, scattering glass and crushing baby Susie beneath the front tire. In the resulting chaos, Tom decided to help himself to some of the doughnuts scattered across the sidewalk in front of the shop.

Discuss any crimes committed in this episode in light of the principles of criminal law covered in your first semester.

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Question 2 – 1 Hour

Ron's investment fund wasn't doing very well. Some of his client's had cashed out their shares and Ron had to use other clients' money to pay them. Ron related his predicament to his old friend Nan, who offered to use her access to her company's vault to obtain stock certificates that Ron could then sell. As the chief accountant, Nan knew she could cover the certificates's loss by manipulation of the account books. Ron took the certificates and, to raise money quickly, sold them at a discount to client Julie. The low price aroused Julie's suspicion, but she liked the price so she asked no questions. She inserted the certificates into a large envelope and drove home. Stopping on the way at the post office, she grabbed the envelope she wanted to mail but the envelope with the stock certificates stuck to the underside. Finding the unlabeled envelope in the mail bin, mail sorter Bob happily discovered the stock certificates within. He sold the certificates to a friend for the current rate. Distraught when she discovered the loss, Julie berated her husband Mark: "This is your fault. If you were a real man we wouldn't be so poor." Enraged at this reference to his virility, Mark drove 60 miles to the home of Julie's former lover and choked him to death.

Nan panicked when she learned investigators from the Department of Corporate Finance would be examining her accounts the next week. Dressed all in black, she crept along the loading dock of her company's main office at 3 a.m. on Saturday. She used a crowbar to pry open a door leading into the mailroom and headed upstairs to the vault with a can of gasoline. Knowing the night janitor finished by midnight and no one else worked weekends, Nan splashed the gas around the inside of the vault through the locked steel grating. She tossed a match into the vault and watched happily as the flames consumed the account books and the stock certificates. Nan left the building unaware that Norm, homeless and seeking shelter, had crawled through an open loading chute and was asleep in the mailroom. Norm died of smoke inhalation.

Unaware of Nan's actions, Ron decided to get the certificates from Julie and return them to Nan before the loss could be discovered. Waiting for Julie to return to her townhouse, Ron donned a ski-mask and hid in the shrubbery outside the front door. He planned to use his ninja training to slip into the house as Julie entered, grab the certificates, and leave when she was sleeping. When Julie returned home, she had her two Doberman's on a leash. Ron's ninja training hadn't included dog hypnosis, so he fled down the street.

Discuss any crimes committed in this episode in light of the principles of criminal law covered in your first semester.