

Question 1 – One Hour

Abernathy fell on hard times, losing his job, house, and family. He found himself living on the streets. One cold night, in order to stay warm, he lit a fire in a large garbage can under the eaves of the St. Cow's Church. The fire kept extinguishing itself. To keep it going, Abernathy took two of the outdoor rugs and placed them in the can. He also broke open the exterior bulletin board plastic casing and removed all of the paper announcements and other ads. He placed the papers in the burning garbage can. The fire roared up to the wooden overhang of the church and caught the beams on fire. Scared, he looked around and saw a fire extinguisher through the window of the church. Abernathy broke through the glass, grabbing the fire extinguisher and a small cash drawer containing five hundred dollars. While trying to put the fire out, Bartholomew, the resident maintenance man, woke from his small room behind the rectory and ran toward the fire source. While doing so, he tripped and fell on a stack of bibles and ultimately died of smoke inhalation.

As the fire roared on, Abernathy threw the extinguisher into the fire and ran from the scene and into the brightly lit street. A motorist, Carmichael, was paying more attention to his phone while texting (a misdemeanor) than the road, and hit Abernathy. Abernathy suffered broken bones, bruises and a severed finger. Thinking that Abernathy was dead, Carmichael rummaged through his pockets and found the money that Abernathy had taken from the church.

Carmichael went to Dora's jewelry store and explained to Dora that he had just won \$500 at poker and wanted to buy his girl a diamond ring. Dora sold him a fake diamond ring claiming that it was authentic.

What crime or crimes have been committed by the parties, if any?

Question 2 – One Hour

Xena was a thrill seeker who sported a pink low-rider modified BMW. She decided that she needed, at any cost, additions to her collection of Victoria Secret pink under garments. She did not have the money to make such purchases. She staked out the store by learning that the store opened at 8:00 a.m. and that there is a front and rear entrance.

On Tuesday, she went to the store, posing as a customer and snuck into the back storage room and unlatched the rear door from the inside to make her entrance easier the following day. While in the backroom, she noticed a box of undergarments that read “Damaged.” Figuring that the items were to be discarded, she grabbed a handful and walked out the front door. The store actually intended on discounting the items for purchase.

On Wednesday, equipped with pink fuzzy handcuffs, a small pearl handgun and a pink ski mask, Xena entered the parking lot of Victoria Secret at 7:00 a.m. Yenia, the security guard for the block of stores surrounding Victoria Secret, focused on the beauty of the pink car and the ski mask on the driver. Suspicious, she approached Xena as she jumped out of the car and tossed a grapefruit in Yenia’s direction and ran from the parking lot. Yenia reached for the grapefruit and ate it. A few blocks away, Xena noticed a black and white spotted bicycle lying in the ditch. Not wanting to ruin her pink stilettos on the pavement, she jumped onto the bicycle and rode toward her home. A few blocks further, Zappy saw what he believed to be his stolen Clo-bicycle with Xena behind the handle bars. He yelled at her to stop, but she kept on riding. Zappy caught up to her and pulled her off the bike, yelling, “Thief.” He quickly realized that it was not his bike and tried to apologize, but Xena lay dead after hitting her head on the pavement. Zappy was so distraught and upset at what had just occurred, that he picked up the bike and swung it numerous time like axe at Aloysius, an innocent passerby. Aloysius survived his injuries.

What crime or crimes have been committed by the parties, if any?