Empire College School of Law
Professor Pozzi
Criminal Law – Midterm
Tuesday, April 14, 2015

Student ID#	

## **Question One - One Hour**

Freddie lost his job, house, and family and was forced to live on the street. One cold winter night, in order to stay warm, he gathered firewood that had been stacked outside a home that he thought was abandoned. The home actually belonged to George, who had gone south for the winter. Freddie entered through an unlocked, yet closed window. Once inside, he placed the wood in the center of the living room floor, added toilet paper and magazines found in the house, and lit a large fire. Before he knew it, the whole room became engulfed, and then the entire house. The fire spread to Harry's house next door and it, too, burned to the ground. As Harry tried to stop the fire, his fingers were burnt to the bone.

Freddie, scared, quickly left the house, grabbing a blanket on the way out and ran across the street. While driving by, Iggy was mesmerized by the fire and did not see Freddie until it was too late. Freddie flew over the hood of the car and hit the pavement. He died. Iggy, jumped out of his car and recognized his blanket wrapped in Freddie's lifeless body. He kicked Freddie and said "That is what you get for stealing my blanket." The blanket actually belonged to George.

What crime or crimes have been committed, if any? Discuss both common and modern law.

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## **Question Two - One Hour**

Ande kept up on the latest electronic gadgets and set out to buy the new Apple watch with the limited edition cow print band. Knowing that hundreds of people wanted the same thing, she was first in line waiting for the doors to open at Bob's Bestbuy. As patrons began to line up, Cal, Ande's neighbor asked for cuts, as he was in the back of the line. He too, wanted the limited edition watch. Ande refused. When Bob opened the door for business, Cal ran to the front of the line and pushed Ande to the side and rushed into the store. Ande tripped into David, who in turn fell onto little Eddy, a two year old boy. Eddy was crushed to death by David's large girth. Once inside the store, Cal's face lit up as he saw the watch. Unbeknownst to Cal, Bob purchased faux Apple cow banded watches from China at a fraction of the cost. He sold one to Cal at full retail. Cal paid for the watch with a credit card that he had grabbed from Ande's purse as she fell onto David.

Ande made her way to Bob, and purchased the last of the authentic Apple watches. Bob charged her three times over the retail price, telling her that it will increase in value as the days went by. Actually, he knew that they would depreciate the moment she walked out of the store. Ande paid for the watch with \$100 bills that she printed from home.

Later that evening, Cal realized that the watch he purchased was a fake. He decided to sneak next door to Ande's and trade his fake one for her real one, thinking that she would not know the difference. Once at the back door, he could see stacks of \$100.00 bills through the window. He quietly opened the door, reached in and snagged the stack of bills. He forgot about the watch.

What crime or crimes have been committed, if any? Discuss both common and modern law