

QUESTION 1
(One Hour)

Andre, Bell and Cook were good friends and NBA team players for the Continuously Outrageous Warriors (COW's). Bell had not been given much playing time and he, along with Andre and Cook, decided to injure Durant, a star COW's player, to secure a spot on the team for Bell.

Together, they hired James to whack Durant in the shin to take him out for the season. They all agreed that the injury would not be permanent. James however hated Durant and had other ideas.

Later that day, Bell changed his mind and wanted playing time on his own merits. He called and left Andre and Cook a message cancelling the plot. Andre and Cook received the message, but forgot to notify James.

That night, James snuck into the shower area of Durant's home gym and waited for him after a practice. As Durant exited the gym into the shower area, James surprised him and began swinging a large machete at Durant. Durant's right hand was severed at the wrist. Fearing death, Durant grabbed James with his left hand and shoved the running shower hose down his throat. James drowned.

Durant then grabbed his severed hand and rushed himself to the hospital. At the hospital, Doctor Love could have sewed Durant's hand back on, but being a huge COW's fan, decided to keep it as a souvenir and sewed on a much smaller cadaver hand.

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

QUESTION 2
(One Hour)

Xavier, an attorney, operated his law business in an office behind his home. Yorda worked at night as a part time bookkeeper for Xavier. During the day, she practiced her acting skills as an aspiring actor.

One night, Xavier heard a noise, went inside his office and could see a man screaming at Yorda while choking her. Fearing for her safety, Xavier grabbed a large law book and hurled it at the man. The man was actually an actor, Zepher, who was practicing for a part with Yorda. The book knocked Zepher to the floor unconscious. Thinking that Xavier had gone crazy, Yorda grabbed a gavel from Xavier's desk and began striking Xavier violently until he became motionless.

Zepher came to while Yorda explained how she had killed her boss, Xavier. Scared, Zepher and Yorda agreed that together they would position Xavier's body to make it look like a robbery gone bad. Zepher and Yorda took all the money (\$1,000) from the office and turned the office upside down breaking lamps and other items. Yorda and Zepher left the office, but decided to go back in and get some of Xavier's alcohol that was in the office. Zepher went in and grabbed the bottle of tequila. They sat on the front stoop, and became intoxicated. Drunk, Zepher extinguished his cigarette on the outside of the office and the building began to burn. Yorda looked through the window and could see that Xavier was actually alive as he began to stand up. Scared she grabbed Zepher and ran off. Xavier died from smoke inhalation.

Wally, the neighbor, hated the fact that Xavier was running his Criminal Law practice in the neighborhood, could see Xavier's office on fire. Fearing that it would extinguish itself, he ran over and poured gasoline on it to ensure that it would burn to the ground. It did. He had no idea that Xavier was inside dead.

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