

People v. Freddie

1. Larceny- firewood belonging to George
-mistake of fact that it was abandoned a defense?
2. Burglary (Common law and/or Modern law)
- Was there an intent to commit a felony upon the entry? Arson?
-What is the significance of belief that it was abandoned? If any?
-“of another”-Claim of Right/Mistake of Fact defense
3. Larceny- toilet paper and magazines belonging to George
-mistake of fact that it was abandoned a defense? Are they things of value?
4. Malicious Mischief of toilet paper, magazines and wood?
5. Arson- of George’s House? Malice?
6. Arson of Harry’s House- Malice?
7. Mayhem of Harry’s fingers- Malice?
8. Larceny- blanket
-mistake of fact that it was abandoned a defense?

People v. Iggy

9. Unlawful Homicide-of Freddie
-malice aforethought as opposed to malice afterthought?
-mitigate to involuntary manslaughter
10. Robbery/larceny of George’s blanket
-“of another” or his own property/mistake of fact/claim of right-even if wrong?
11. Assault/Battery-Freddie
- Modern v. Common Law Assault?
- Was there an application of force?
- Can a dead body be the victim of an assault and/or battery?

Empire College School of Law
Criminal Law
Spring 2015 Midterm Outline for Question Two
Professor Pozzi

People v. Cal

1. Assault/battery on Ande
2. Assault and battery on David-causation?
3. Unlawful homicide on Eddy
 - mitigate murder to involuntary manslaughter
4. Burglary of Bob's Bestbuy
 - entering knowing he was going to use Ande's credit card-what crime?
 - CL v. ML
 - no night
 - no breaking
 - no dwelling house
 - no felony, but theft related
5. False Pretenses- Cow banded Apple Watch paid for with Ande's stolen credit card
6. Robbery/Larceny- credit card from Ande
7. Burglary- Ande's
 - felony therein? Larceny? \$100.00 or watch? Or both? Or neither?
8. Attempted larceny-watch
9. Larceny-100.00 bills-
 - thing of value?

People vs. Bob

10. False Pretense-\$\$\$ (credit card) for fake watch from Cal
11. False Pretenses- \$\$\$ from Ande based on false statements OR is it buyer beware?

People v. Ande

12. Burglary-knowing she was going to use fake \$100.00!
13. False Pretense- Watch for fake \$100 bills
14. Forgery-fake \$100 bills
15. Uttering-passing fake \$100 bills