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===== Start of Answer #1 (1495 words) =====

• People v. Stan

Battery- battery is defined as an intentional or reckless offensive touching of another person. Here, Stan threw a can of beer in the air that hit Cal in the head. therefore, he committed a battery against Cal. Since he later died, no crime can be charged against him.

• People v. Cal

Battery- Battery is defined supra. Here, Cal hit Stan in the head with a hockey stick and knocked him unconscious. therefore, a battery was committed to Stan.

Murder- Murder implies the absence of provocation and requires malice aforethought. Here implied malice can be used. one way we can use implied malice is when the natural consequences of the act are dangerous to human life. or killinf with this knowledge or a reckless indifference towards human life (having an abandoned and malignant heart). Here when Cal picked up the hockey stick and swung without caring for Stan's life, hit him in the head, where he later died after being resuscitated. Even though he was resuscitated, his death was still the natural coonsequence of Cal's conduct. And the natural consequences of hitting someone in the head with a hard stick, like a hockey stick, could be death, unless you were lucky. Therefore, Cal can be charged for Murder Implied for the death of Stan.

Trespass- trespass is defined as an intention, unauthorized, physical intrusion on a person or property. Here Cal drugg Mickey's body to his neighbors bushes. Therefore, he committed a trespass to his neighbors.

Larceny- the elements of larceny are 1)trespassory taking of the tangible goods, or personal property of another 2)with asportation 3)with felonious intent 4)without consent

of owner 5)with intent to permanently deprive the owner of. Here, Cal went threw Mickey's pockets and stole his car keys, car and wallet, which are the personal property of another, taking and carrying them away was the asportation, the felonious intent was to steal the items and use them to take the car, Mickey was unconscious and could not give his consent and because Cal drove the car to a dealership to sell it was the intent to permanently deprive the owner of. Therefore, Cal committed Larceny against Mickey for his car keys, car and wallet. = 3x

unwelcome

Trespass to a person- Trespass to a person is defined as the intentional, physical contact to a human being. Here, when Cal drugg Mickey body to the neighbors was an intentional physical contact. Therefore, he committed a trespass to perosn against Mickey,

• people v. Susan

trespass to chattel: trespass to chattel is defined as intentional taking or altering persoanl porperty of another. Here, she went thru sallys purse and took a cigartte which she used. thus, she can be charged with trespass to chattel against sally.

larceny- lrceny is defined supra. When susan stole the cigarette from sallys purse and used it, she took the personal property of another, with felonius intent because she was committing theft, without consent of the wner due to the fact she did not have sallys permission, the asportation was the carrying away of the cigarette and with intent to permanently deprive the owner of, because she used the cigartte and once burned, cannot be reused. thus, she committed larceny against sally.

Grand re larceny

Larceny to Cal- Larceny is defined supra. She took a beer and sandwhich, which was the taking of personal property of another. The carrying away with the items was the asportation. From Cal's closed refrigerator after told she was unwelcome there, which was without the consent of the owner. the felonious intent was to steal the items. And she was taking them for the ride home which was the intent to permanently deprive the

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owner of.

Burglary- The elements of burglary are 1)unlawful trespass 2)break and entry 3)into the functioning dwelling house or curtilage of another 4)with intent to commit a felony inside 5) at night. Once she was told she had to leave means she was no longer invited there. Once she walked into the closeted basement was an unlawful trespass. opening the closeted door to the basement and walking in was the break and entry. It was a functioning dwelling house of another, because they were at Cal's house. The intent was to steal something when she opened and walked into the basement and she did steal a sandwich and beer, because she wanted to get something for the drive home. It was night because they were partying after a football game in the house and street in front of Cal's house. Thus, she did commit burglary against Cal.

trespass the better charged along with larceny

Attempted arson- Attempt is defined as 1)intent to commit a crime 2)a step beyond mere preparation towards the commission of that crime. Arson is defined as the intentional malicious burning of a functioning dwelling house of another. She was mad she had to leave so she angrily threw the cigarette onto Cal's porch. which was the intent to commit a crime, in this case arson, she did take a step of trying to commit the arson, but it only caused smoke damage so there was n arson, but she can be charged with attempted arson since she didn't succeed at the commission of the arson.

weak. No evidence of intent to burn.

• People v. Mickey

Assault- assault is defined as an attempted battery accomplished by threat or by verbally or physically placing the victim in fear or likelihood of injury, but injury need not occur. Here Mickey was mad Cal killed Stan, so he went to look for him and found Cal on his front porch and ran toward him intending to strike, but missed. The fact he didn't touch him doesn't matter, he did create a fear in Cal that he was there for revenge.

Thus, Mickey did commit assault to Cal.

Trespass- Trespass is defined supra. When he ran up the steps of Cal's house, he was

not welcomed, it was intentional and it was the property of another. Can also be trespass to property which is defined as an intentional physical intrusion onto another property, which is exactly what he did. Thus, he can be charged for trespass and trespass to property. *) good*

• People v. Gretchen

Receiving or finding lost or stolen goods: elements are defined as 1) knowing the property is lost or stolen 2) intent to keep it. Here, Cal admitted to her that the Audi was not his and he stole it from his enemy. So she did know it was stolen and she did intend to keep it because she gave him money for it and put it on the lot to re-sell. Indicia of ownership is when there is a name tag on the stolen or lost property and if not finder is required to still look for owner. There had to be a title in the glove compartment or registration where she could have found the original owner or she could have looked them up using the license plate number. Thus, Susan can be charged with receiving stolen goods. *Gretchen?* *) good*

larceny by false pretenses- larceny by false pretense is defined as obtains both possession and title, by knowingly fraudulent misrepresentation, causing the victim to part with title with intent to defraud. Here she put the car as new, which was the intent to defraud. She took the check from Damon as payment, because of her fraudulent misrepresentation of the car being new, he parted with check as payment, which was receiving title and possession of the money. And she caused the victim to part with the title. Thus, she can be charged with larceny by false pretenses. *unclear*

• People v. Damon

Larceny by false pretenses- is defined supra. Here, he gave Gretchen a fake check, causing her to part with title, giving him possession and title of the car. He closed his account before this so he knew it was a bad check, meaning he intended to defraud her. Thus, he can be charged with this crime. *cf p. 439 in text*

Forgery- Falsey making or altering, with intent to deceive, a legal document or other item of value, including but going beyond signing the signature of another. Here, he gave a fake check, whcih was an item of value, he meant to decieve her so she would give him the car, and he signed his name. Therefore, because it was not the signature of another, it may not be forgery.

*The forgery is a good charge -
" goes beyond signing*

Trespass is defined supra. Here he plowed onto someones yard with his car. meeting the elements of this crime.

trespass- is defined supra. Here he went into that persons house to sleep. He was not allowed or invited. Thus, this was a trespass.

Larceny- is defined supra. Here while inside the house he took a painting. He did take personal property of another, with asportation, with intent to steal it, wihtout the consent of the owner as he didnt have permission to be there, with intent to permanently deprive the owner of, becuase he took it and left no note. Thus he can be charged with larceny to the onwer of that house.

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2) =====

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Start of Answer #2 (1780 words) =====

PEOPLE v. SARA

Count 1: Sara pushes Bill out of the car - Battery

Battery is the intentional or reckless offensive touching of another person.

Sara pushed Bill out of the car against his will, which suffices the elements of a battery. *for*

Count 2: Bill dies as a result of being pushed out onto the road - implied malice murder *road*

Homicide is the unlawful killing of another person. Here, Bill dies as a proximate result of Sara pushing him out of the car and stranding him in the middle of a travelled portion of the road.

Murder is the unlawful killing of another person with malice aforethought, either express or implied.

Express malice entails the intent to kill another person. Here, Sara did not express her intent to kill Bill.

Implied malice can occur in any of three ways:

1.) The killing is the result of an intentional injurious act, such as the use of a weapon, or during the commission of a felony (Felony Murder Doctrine).

2.) The natural consequences of the act are dangerous to human life.

3.) The actions are recklessly indifferent to human life.

Here, Sara could reasonable foresee that the natural consequences of her pushing Bill out of the car on a travelled portion of the road could be dangerous to human life. It could also be argued that Sara's actions were recklessly indifferent to human life, as this road seems to be busy.

Sara will likely be found guilty of an implied malice murder.

cf. also the law of negative acts + omissions

In Sara's defense, her crime might be mitigated to involuntary manslaughter

Manslaughter is the unlawfull killing of another peron, without malice aforethought, and can be voluntary or involuntary.

Voluntary mansaughter can occur in two ways:

- 1.) A person is killed in a sudden quarrell or heat of passion, with adequate provocation.
- 2.) Imperfect self-defense, which is an unjustified killing resulting from someone falsely believing their life is in danger.

Involuntary manslaughter can happen in two ways as well:

- 1.) Misdemeanor manslaughter rule - someone dies during the commission of a crime that does not amount to a felony
- 2.) criminal (gross) negligence.

Sara's defense may try to mitigate the murder charge to that of involuntary manslaughter, because her actions could be seen as involving criminal negligence. It would be criminally negligent to push someone out of your car on a busy highway.

yes!

Count 3: Sara invites Bonnie and Clyde to commit robbery - solicitation

Solicitation is the inviting, encouraging, or commanding another person to commit a crime, with the intent that they do commit the crime.

Sara clearly invited Bonnie and Clyde to commit the robbery. Sara details the robbery plan along with the people's roles. The trio intended to commit the crime, as the robbery of the bank is committed.

Sara will likely be found guilty of solicitation.

Count 4: Sara commits the robbery of the bank - robbery

Robbery is the commission of a larceny, or attempt of a larceny, by way of force, fear, or threat of force.

Sara, Bonnie, and Clyde, commit the robbery of the bank by stealing the money and taking it away after it is stolen, with the intent to permanently deprive the bank. The robbing of a bank is an inherently dangerous act, which almost always involves force, fear, or threat of force. The facts do not include this element. The larceny was apparent, as the money was stolen and asportated away, but if the larceny was not committed by force, fear, or threat of force, Sara may not be found guilty of robbery. If there was the element of force, or threat of force, Sara would be deemed a principal in the robbery as she was near enough to the scene of the crime to provide aid as a look out.

*Facts tell you it was a robbery,
which is better charge than
larceny*

PEOPLE v. RANDY RIDER

Count 1: Randy hits Bill with his car - battery

Battery (defined supra). Randy recklessly hits Bill with his car, which is an unwanted touching. The facts do not state that Randy was driving over the speed limit, but it can be implied that he was driving recklessly by his decision to flee the scene. Randy will likely be found guilty of a battery.

*Before the accident?
What about leaving Bill
on the roadway?*

PEOPLE v. FOXY

Count 1: Foxy strikes and kills Bill with her car - implied malice murder

Implied malice murder (defined supra). Foxy was driving her car 10 miles over the speed limit "roaring down" and hitting Bill. Because the facts state that Foxy was "roaring down" the highway and driving 10 miles an hour over the speed limit, it is implied that the natural consequences of Foxy's actions would be dangerous to human life. Foxy did not have the express intent to kill Bill, but the malice was implied by the way she was driving.

Foxy will likely be found guilty of implied malice murder.

Foxy's defense may also try to mitigate the charge to an involuntary manslaughter (defined supra). Her defense would argue that she was, also, driving her car with criminal negligence that resulted in Bill's death.

*or via misdemeanor
manslaughter*

Count 2: Foxy's car runs into the neighbor's outhouse - malicious mischief

Malicious mischief is the destruction or damaging of the real or personal property of another with malice, either express or implied.

After hitting Bill, Foxy's car damaged the neighbor's outhouse. This is damaging the real property of another. Foxy's malice was not express as she did not intend to damage the property, but was implied by the way she was driving (discussed supra).

good

Foxy will likely be found guilty of malicious mischief.

PEOPLE v. CAB DRIVER

Count 1: The cab driver knowingly takes the bank robbers away from the scene of the crime and does nothing apart from taking them to their destination - accessory after the fact of robbery. — *where is his mens rea?*

Being an accessory after the fact involves a person knowingly aiding those who have committed a crime, after the crime has already been committed. Here, Sara, Bonnie, and Clyde are loudly discussing how they had just robbed the bank. The facts state that the driver overheard the conversation, so he was aware of the robbery that had been committed. He still delivered them to their hideout, which suffices the elements of being an accessory after the fact.

PEOPLE v. BONNIE

Count 1: robbing the bank - robbery

Robbery (defined and discussed supra in Sara). Bonnie was a principal in the bank robbery, and will likely be found guilty.

Count 2: Bonnie fights with Vee - battery

Battery (defined supra). Bonnie gets in a physical altercation with Vee, which would entail an unwanted physical offensive touching of Vee. Bonnie will likely be found guilty of a battery.

Count 3: Bonnie invites Susie to kill Vee - solicitation

Solicitation (defined supra). Bonnie invited, encouraged, and commanded Susie to murder Vee. Bonnie invited and commanded Susie to murder Vee by yelling "Kill Vee", she also encouraged Susie by saying that Vee "deserves it". It is clear that Bonnie had the intent that Susie carry out the crime. Bonnie will be found guilty of solicitation.

Count 4: Bonnie provides the knife to Susie to hurt Vee - aiding and abetting

Aiding and abetting involves helping another person commit a crime, whether it is before the fact, or after the fact.

good-

Here, Bonnie provides a knife to Susie, with the intent that Susie use it to hurt Vee. Susie did use the knife to hurt Vee, so Bonnie aided and abetted that crime.

PEOPLE v. VEE

Count 1: Vee gets in a physical altercation with Bonnie - battery

Battery (defined supra). Vee had a physical fight with Bonnie, which entails an intentional, unwanted, offensive touching of Bonnie. Vee will likely be found guilty of a battery, but her defense may be that she was acting in self-defense. The facts are not clear in who instigated the altercation.

yes

PEOPLE v. SUSIE

Count 1: Susie cuts off Vee's nose - mayhem

Mayhem is the intentional disfigurement or impairment of the body part of another, which is useful in self-defense or fighting. Susie clearly disfigured Vee by cutting off her nose. The nose would not be deemed a body part that is necessary for self-defense or aiding in a fight. Susie will likely not be found guilty of mayhem. *Perhaps*

Count 2: Susie cuts off Vee's nose - battery

Battery (defined supra). Susie committed an intentional, unwanted and offensive touching of Vee by cutting off her nose. Susie will likely be found guilty of a battery.

Count 3: Susie throws the nose at Jerry - battery

Battery (defined supra). Susie committed an intentional, unwanted and offensive touching of Jerry by throwing a severed nose at him which hit him in the face and knocked off his glasses. Assuming Jerry is a reasonable man, it can be inferred that he did not want this offensive touching to happen to him. *good*

PEOPLE v. JASON

Count 1: Jason provides the gun to Clyde - accessory before the fact

An accessory before the fact aids in the commission of a crime by providing elements that are necessary to complete the crime. Here, Jason provides the six-shooter to an intoxicated Clyde, knowing that the bar they were in was dangerous and that there could be a high likelihood that an intoxicated Clyde would use the weapon to injure someone. *not in the facts*

PEOPLE v. MURPH

Count 1: Murph gets in a fist fight with Clyde - battery

Battery (defined supra). Murph intentionally, and assumingly unwanted and offensively, gets in a fist fight with Clyde, which would suffice as an offensive touching. Murph would likely be charged with a battery. *Unless self defense*

PEOPLE v. CLYDE

Count 1: Clyde gets in a fist fight with Murph - battery

Battery (defined supra). Clyde gets in a fist fight with Murph, which would be an intentional, unwanted and offensive touching against Murph. Clyde will likely be found guilty of a battery.

Count 2: Clyde strikes Murph in the chest with the gun, causing him to fall and hit his head, resulting in his death 2 days later - implied malice murder

Implied malice murder (defined supra). The facts state that Clyde "struck Murph in the chest with the six-shooter". Whether Clyde used the gun to shoot Murph, or used it to deliver a heavier punch, Clyde committed an intentionally injurious act toward Murph with the use of a weapon that resulted in Murph's death. This is enough to meet the elements of an implied malice murder. *good*

Clyde's defense may argue that the two men were drunk and fighting in a sudden

