

Question 1 – One Hour

Calvin ran into his old friend Stan at the big football game between their schools, where Calvin also met Stan's fiancée, Sue; the group agreed to meet at Stan's house after the game. During the game, Stan sent Calvin a text that his friends were getting rowdy so Cal should skip the party; however, Calvin had forgotten his cell phone at home. When Calvin arrived, there were people outside yelling and they started throwing beer cans at a street sign out front. One thrown by Barry hit Calvin on the head. Calvin picked up a stick and delivered a blow to Barry's head causing him to fall to the ground unconscious. Calvin ran into the house with the stick, which he began waving at Sue. Stan confronted Calvin and told him to leave. Calvin did so, but only after grabbing a ham sandwich and can of beer.

Barry was taken to the hospital where he died. When news of Barry's death spread, his brother Bobby sought Calvin out. He found him seated in the empty stadium and ran up to him with fists clenched. He tripped on the steps and fell, hitting his head, and passed out. Calvin then went through his pockets and removed his wallet and keys to his car. Calvin jumped into the Porsche and drove right to Auto Row where he sold the car to Greg for ½ the blue book value, telling Greg he had inherited the car from a now deceased uncle and offering a pink-slip he had altered.

Greg put the car on the lot and Derrick spotted it. He offered to buy the car on the spot and wrote out a check for the full amount. He used an account he had closed a week prior. Derrick drove off, and was celebrating his purchase with a second bottle of brandy as the Porsche flew down the road at 90 mph. Derrick missed the stop sign and he broadsided a car driven by Myria, killing her passenger Priscilla as they headed home from a beer festival. As he waited for the ambulance, Derrick thought about the videos he'd watched in DUI class.

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

Question 2 – One Hour

Doug and Rex were brothers who owned 20 acres of apple and pear orchards. Their property manager, Mary, oversaw the operation. Mary employed a number of people to help her maintain the trees, pick the fruit, and run the stand along the highway. Most of these workers changed from year to year.

Sometime during the recent season, Bob showed up looking for work. He told Mary he had a green thumb and she hired him on the spot. Bob told Mary he'd walked the 20 acres already and knew which trees needed pruning, so she handed him an orchard ladder and sent him on his way. Bob retreated to the farthest corner of the fenced property, removed some of the fencing and let Hugo in. The two then pulled up 30 saplings and loaded them onto Bob's truck to be later sold to Doug and Rex by Bob. They then set to growing some 50 marijuana plants in their place. Hugo erected a tent and watched over the plants during the growing season while Bob continued to work the orchards. One night a bitter storm blew in, destroying Hugo's tent. He saw the main house up on the hill and ran to it. The lights were out and no cars were around; Hugo popped the lock with his pocketknife and went inside. Just then he heard Bob outside calling him. He went back out, told Bob he'd found the house unlocked and there was a pile of money on the table. The two went in and each began filling his pockets. A noise came from the back bedroom, and Maude appeared with a baseball bat over her shoulder. Bob grabbed for the bat, knocking Maude against the granite fireplace. She fell to the ground, mortally wounded.

As Bob and Hugo ran from the house they were confronted by Mary. She held them at gunpoint and demanded the money they'd taken. She quickly put it in her truck, and then returned and tied the men up. She then went in and removed the rest of the cash from the table. When Doug and Rex arrived she told them what had happened, adding that the money was missing when she arrived. When Bob and Hugo tried to tell the men that Mary had taken the money she fired in their direction, hitting Hugo in the leg. Mary then jumped into the company truck and drove off, leaving all four men behind. Doug went into the house and found his mother dead. He went outside, saw the blood on Hugo's hands, and began yelling at him. Hugo started toward Doug with his hands raised to explain and Rex grabbed his ranch rifle from the truck while Bob pulled his revolver out; both then fired at Hugo killing him. An autopsy indicated either shot was fatal.

What, if any, crimes have occurred? Discuss at common law and modern law.