CRIMINAL LAW

PROFESSOR HETU FALL 2024 HETU@MSLAW.ED
TUESDAY & THURSDAY DAYS

Purpose and Description

This is the introductory course for statutory and common law *Criminal Law* intended as the foundation for the *Bar Exam* and competence for criminal defense practitioners.

Grading

The midterm and final examinations will combine to be 85%-95% of your final grade in this class. In addition, there will be weekly assignments of a minimum of five (5) **MBE**-type questions and/or **Short Directed Essay Questions** which will serve as quizzes and will combine to be 5%-15% of semester grade.

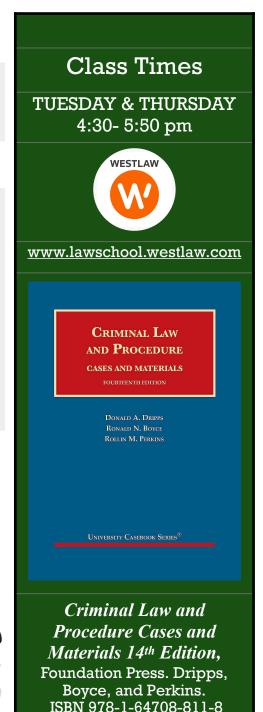
I reserve the right at any time during the semester to modify and/or change the course grading.

Lack of class participation has the strong potential to impact negatively on your course grade. Being unprepared for class WILL impact your grade.

"You must have the courage to trust your instincts and be ready to question what other people don't. If you do that, you can seize opportunities that others would miss. Believe in yourself, and use everything you can—including the obstacles—to propel you along the road to success.

Who knows what you might achieve?"

Richard Branson



Course Requirements & Class Participation

Class Attendance:

Students must be prepared for every class to be called on to brief cases or for discussion of questions. You are, therefore, expected to be in class and to participate. Students who have more than **three** unexcused absences during the semester may have their semester grade lowered by as much as one-third of a grade. If you cannot make it to class on time do not sign up for the class. Being tardy multiple times will have a negative impact on your grade.

Attendance is taken at the beginning of class.

You will be marked absent if you are not present when attendance is taken.

Quizzes

I will not permit any make-ups for missed weekly in-class and/or on-line **TWEN/SOCRATIVE** quizzes.

You must check **TWEN** and **SOCRATIVE** every weekend for posted quizzes. **TWEN** quizzes will be under assignments/quizzes and

SOCRATIVE YOU MUST LOG ONTO SOCRATIVE THEN CLICK ON STUDENT.
YOU WILL BE PROMPTED TO ENTER AN ID.
MY ID IS: HETU6452.



TWEN (The West Education Network) is part of **Westlaw**, the legal field's most powerful search engine and research platform. Every MSL student is assigned an account in their first year, and each of your 1L courses will have a digital presence on **TWEN** where you will be able to access course materials, assignments, and other resources for each course. You may also easily contact your professors through **TWEN's** mail option.

Socrative is a web-based quizzing tool used by both Dean Coyne and Professor Devlin in your substantive 1L courses. You do not have to register an account to participate in weekly quizzes, just enter your name/student ID, depending on which the professor requests on your quizzes.



Notes And Tape Recorders In Class

I test what I teach, and I follow the syllabus. If you do all assigned readings and attend class, you will be prepared for the exams. It is necessary that each of you develop an effective method of recording and retaining the materials as it is taught and discussed. Classes are interactive, and it is not always advisable to take copious notes. Research strongly indicates that students who attempt to use word processors to "transcribe" class discussions perform less well on exams than do those students who actively participate in those discussions. Use of tape/digital recorders are allowed in this class and may be preferable for you.

The purpose of class is to learn the law through discussion and participation to develop analytical skills. This cannot be achieved if you are intent on being a scribe.

CLASSROOM DECORUM

All students will observe the following classroom decorum

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Timeliness

Arrive on time.
Late arrivals are disruptive.
If late arrivals become too
frequent those arriving late will
not be allowed into the
classroom.

With the exception of extraordinary circumstances there will be *no* cell phone use in

class. Turn off all cell phones before the class begins. If there is a family emergency requiring you to be reachable you must approach me before class and inform me of the situation. In such an event you may keep your cell phone on if it has a "vibrate" only option. In the event that your cell phone or other device disturbs the class you will be told to leave the classroom immediately and will be marked as absent for the class.

Talking in Class

This is an interactive class, and it is normal for there to be a bit of a "buzz" while we are discussing a case, a principle or a hypothetical. You are expected to listen while others are talking and to respond if called upon. Civility is expected at all times by all students. Do not "blurt" out answers wait to be called on especially if in the zoom class, it can become very distracting.

Eating/Drinking in Class

Eating in class is strongly disfavored.

I do understand that stressed-for-time students, especially evening students, are often unable to take meals at normal hours, and therefore snacks and drinks will be tolerated as long as they are not disruptive.

I will not tolerate full meals, full "submarine" sandwiches, or anything of the like. I also will not tolerate undue noise such as stubborn plastic wrappers.

I will ban all foods and drinks in class if I think they are becoming a distraction.

Civility Above All Else

Each of you will be treated at all times with courtesy and respect, and you will treat each other with a high degree of civility at all times.

At all times we will argue issues and never personalities.



**YOU ARE RESPONSIBLE FOR ALL FOOTNOTES AT THE BOTTOM OF THE PAGE IN YOUR COURSE TEXTBOOK!!

WEEK 1

August 20 th	Introduction and Course expectation		
	Chapter 6 Responsibility: In General Section 1		
	Cases	Regina v Faulkner	Rehaif v United States
		United States v Bailey	State v Fikes

August 22 nd	Negligence and Recklessness Intent		
	Cases Gian-Cursio v State		United States v Alvarez
		State v Petersen	State v Wickstrom
	Conroy v State		Dobb's Case
		State v Howard	Thacker v Commonwealth

August 27 th	Other Particular States of Mind		
	Cases	State v Lauglin	People v Kanan
		Terell v State	United States v Heredia
		State v Nastoff	Fields v United States
		State v Beale	Bryan V United States

August 29 th Strict Liability, Unlawful Conduct, Transferred Intent, Motive, Concurrence of Mens Rea and Actus Reus		ntent, Motive, Concurrence of Mens	
	Cases	Commonwealth v Olshefski	State v Sealy
		Staples v United States	Regina v Smith
LA	W	Commonwealth v Koczwara	People v Jeffers



September 3 rd Cha	Chapter 2 Offenses Against the Person Homicide	
Cas	es Patterson v New York	United States v Walters
	People v Weisberg	State v Alcindor
	R. v. Vickers	People v Chevalier
	People v Knoller	Commonwealth v Troila

WEEK 4

September 5th

Cases

People v Breverman	King v State
People v McZeal	State v Dumlao
State v Nelson	Murray v State
United States v Paul	State v Bier
People v Rodriguez	

September 10 th	Felony 1	Felony Murder	
	Cases	Commonwealth v Brown	State v Mayle
		People v Henderson	People v Swanson
		Contreras v State	Commonwealth v Drum

WEEK 5

September 19 th	Degrees of Murder		
C	Cases	People v Perez	Callins v Collins

September 24th Assault and Battery



Cases

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S	State v Jimerson	Commonwealth v Berkowitz
	United States v Bell	People v Galvarino-Gonzalez
	United States v Jacobs	People v Inguez
	People v Santiago	Commonwealth v Lopez
	Commonwealth v Matsos	



October 1^{st}

September 26 th Chap	ter 3 Offenses Against the Habit	ation and Other Protected Entities
Case	Woods v State	Nichols v State
	State v Mann	Hebron v State
	People v Gauze	Walker v State
	Stowell v People	Gray v State
	People v Dupree	State v Bowen

CRIME SALE DO NOT CROSS

Chapter 4 Offenses against Property

5	People v Caridis	United States v Bowser
	People ex rel. Koons v Elling, Sheriff	Thompson v State
	Bell v State	Cummings v Commonwealth
	The Queen v Townley	The King v Pear
	State v Cohen	The Queen v Prince
	People v Walker	Wilkinson v State
	The King v Bazely	Regina v Hands
	Rex v Sullens	Regina v Thurborn
	State v Brooks	Brooks v State
	Morgan V commonwealth	State v Kaufman

October 3 rd	Delivery	Delivery by Mistake	
	Cases	Cooper v Commonwealth	State v Savage
		State v Langford	State v Langis
		Rex v Banks	State v Komok
		Regina v Riley	State v Delmarter
		State v Coombs	People v Tufunga
		People v Khoury	State v Skaggs
		People v Brown	

WEEK 7 continues

October 8th				
Cases	State v Stahl	Bell v United States		
	United States v Faulkner	State v Moses		
	People v Ashley	State v Saylor		
	State v Duncan	People v Home Insurance		
	Allen V state	United States v McGovern		
	Barker v State			

WEEK 8

October 10th Chapter 5 Imputability





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State v Quick	State v Mitchell			
State V taft	People v Rojas			
People v Decina	United States v Oviedo			
State v Kimbrell	State V Wilson			
Moffett v State	State v Blechman			
People v Callie	Stewart v State			
People v Van Ronk	State v Peterson			
People v Rizzo	Biddle v Commonwealth			
Young v State	Commonwealth v Teixera			

WEEK 9

October 17^{th}

October 15th Tentative Midterm Date

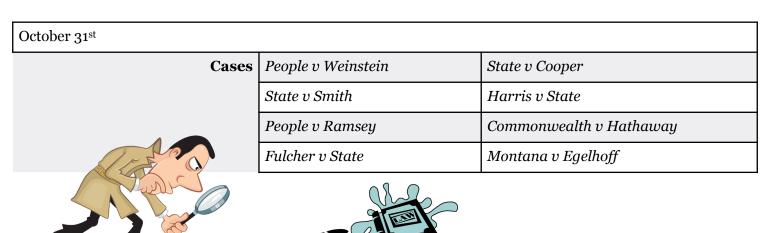
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Cases	
Cases	

S	Jones v United States	State v Williams
	Davis v Commonwealth	State v Trusdell
	Van Buskirk v State	State v Hanks
	State v Sewell	United States v Payan
	Rosemond v United States	Gebardi v United States
	People v Brown	

October 22 nd				
Cases	People v Swain	Rex v Huggins		
	United States v Loscalzo	People v Canadian Fur Trappers		
	Pinkerton v United States	State v Hallett		
	United States v Rosado- Fernandez	People v Roberts		
	Marquiz v People	People v Lewis		
	United States v Turkette			

October 24 th				
Cases	Ex parte Heigho	State v Iten		
	People v Stamp	Regina v Benge and Another		
	State v Sauter	Lewis v State		
	Letner v State	Green v State		
	State v Leopold			

WEEK 11			
October 29 th	29 th Chapter 7		
Cases State v Q.D. Kahler v KANSAS		Kahler v KANSAS	
		Corder v Rogerson	State v Fetters
		McKeiver v Pennsylvania	



November 5 th			
Cases	People v saille	State v Cude	
	Burrows v State	People v Marrero	
	Powell v Texas	People v Weiss	
	Chapter 8		

November 7th				
Cases	Lambert v California	People v Crane		
	People v Hernandez	People v Anderson		
	People v Cash	Tyner v State		

WEEK 13

November 12 th				
Cases	Tyler v State	United States v Bygrave		
	State v Burney	R. v Brown		
	Commonwealth v Capitolo	United States V Dykes		
	People v Cook			

November 14 th			
Cases	State v Munnell	Chapter 9	
	Regina v Holland	State v mantelli	

November 19th	Novem	ıber	19 th
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Cases Commonwealth v Emmons		State v oellette
	State v Barr	People v goets
	People v Ceballos	



WEEK 14 continues

November 21st				
Cases	Brown v United States	State V Saunders		
	People v Aiken	Alexander v State		
	Dorsey V state	People v Curtis		
	Cooper v United States			

WEEK 15

November 26 th				
Cases	State v Mitcheson	People v Ceballos		
	People v Wood	People v Barraza		
	Commonwealth v Donahue	Jacobson v United States		

November 28th Final review

THIS SYLLABUS IS SUBJECT TO CHANGE!!!!*

