QUESTION ONE

a. Under Common Law
   No abandonment
   Why?

b. M.P.C.
   Yes, if voluntary and
   Complete
   Apply to facts

QUESTION TWO — E.E.D. Theory

   Excuse
   because it's not
   justified if victim is innocent

QUESTION THREE — Mistake re. Consent in Rape

   Mistake of fact exculpates

   Does not fulfill some purposes
   of punishment

   Importance of *mens rea* in Criminal Law

   Morissette on *mens rea*

   R. v. Morgan
QUESTION FOUR — Demonstrating at a Military Base

a. Mistake of law is no excuse.
   
   but MPC approach . . . .
   
   MPC allows reliance on
   authority charged w/interpreting.
   
   Apply:
   Hopkins

b. Legality:
   Notice
   Due process
   ex post facto laws
   Keeler
   Apply

QUESTION FIVE — Felony Murder

Predicate felony merges
Explain
Ireland

QUESTION SIX — Can an unintentional killing done while drunk be murder?

Depraved heart makes out malice
Malone
Fleming
Abandoned and malignant heart
Voluntary intoxicate not a defense to
reckless crimes.
No justification
QUESTION SEVEN — Self Defense

Usually no retreat required from own home
Why?

But here co-occupant is attacker
Sometimes retreat is required.

QUESTION EIGHT — Attempted Murder & Murder.

a. Specific intent required for attempt.
   Apply.

b. This kind of murder requires only general intent plus a death,
   but if no death occurs, the most it could be is attempt —
   not possible w/o specific intent.

QUESTION NINE — Conspiracy

a. Mens rea required for conspiracy?

For knowing supplier?

Lauria

b. Liable for earlier crimes?

No
QUESTION TEN — Accomplice Liability

*Mens rea* for accomplice? Purpose
Apply

*Actus reus?* Aid or encouragement
Apply
Talley