

CRIMINAL LAW

PROFESSOR HETU.
FALL 2025

HETU@MSLAW.ED
TUESDAY & THURSDAY

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.**

FALL 2025

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| Official Semester Start Date | August 11, 2025 |
| First Day of Class for <i>Comparison</i> Students | August 11, 2025 |
| Orientation | August 11, 13, 14 & 23, 2025 |
| First Day of Classes for All Other Students | August 18, 2025 |
| Labor Day - No Classes | September 1, 2025 |
| Indigenous Peoples' Day - No Classes | October 13, 2025 |
| Thanksgiving - No Classes | November 27 & 28, 2025 |
| Last Day of Class, 1st Semester | December 1, 2025 |
| Study Week | December 2 – December 7, 2025 |
| Registration for New & Returning Students | December 8, 2025 (8 A.M. - 7 P.M.) |
| Exams | December 8 – 18, 2025 |
| Level 1, Level 2 & Level 3 Assessment Tests | December 18, 2025 |

Class Times

TUESDAY & THURSDAY
4:30 - 5:50 pm and
6:00 - 7:20 pm

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Criminal Law and Procedure Cases and Materials

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ISBN 978-8-89209-715-4

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.

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.

**Know the lesser
and greater crimes**

**Know the rules
verbatim**

**Know how to
apply the rules**



CLASSROOM DECORUM



All students will observe the following classroom decorum

Timeliness

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



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, do not raise your hands when a student is already called upon, it can become very distracting. I want students to work through cases and hypotheticals, if I deem a student needs “**help**” I will ask for other students to volunteer.

Cell Phones and Messaging

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.

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!!**

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| Week 1 | | |
| August 19 th | Introductions, Overview of Course, Class Expectations, | |
| | Chapter 6 : Responsibility: In General Section 1 | |
| | Cases | <i>Regina v Faulkner</i> |
| | | <i>Ruan v. US</i> |
| | | <i>United States v Bailey</i> |
| August 21 st | Negligence and Recklessness Intent | |
| | Cases | <i>Gian-Cursio v State</i> |
| | | <i>United States v Alvarez</i> |
| | | <i>State v Petersen</i> |
| | | <i>State v Wickstrom</i> |
| | | <i>Conroy v State</i> |
| | | <i>Dobb's Case</i> |
| | | <i>State v Howard</i> |
| | | <i>Thacker v Commonwealth</i> |
| Week 2 | | |
| August 26 th | Other Particular States of Mind | |
| | Cases | <i>State v Laughlin</i> |
| | | <i>People v Kanan</i> |
| | | <i>Terell v State</i> |
| | | <i>United States v Heredia</i> |
| | | <i>State v Nastoff</i> |
| | | <i>Fields v United States</i> |
| | | <i>State v Beale</i> |
| | | <i>Bryan v United State</i> |
| August 28 th | Strict Liability, Unlawful Conduct, Transferred Intent, Motive, Concurrence of Mens Rea and Actus Reus | |
| | Cases | <i>Commonwealth v Olshefski</i> |
| | | <i>State v Sealy</i> |
| | | <i>Staples v United States</i> |
| | | <i>Regina v Smith</i> |
| | | <i>Commonwealth v Koczwara</i> |
| | | <i>People v Jeffers</i> |




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| Week 3 | | |
| September 2 nd | Chapter 2 Offenses Against the Person - Homicide | |
| | | |
| Cases | <i>Patterson v New York</i> | <i>United States v Walters</i> |
| | <i>People v Weisberg</i> | <i>State v Alcindor</i> |
| | <i>R. v. Vickers</i> | <i>People v Chevalier</i> |
| | <i>People v Tseng</i> | <i>Commonwealth v Troila</i> |
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| September 4 th | | |
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| Cases | <i>People v Breverman</i> | <i>King v State</i> |
| | <i>People v McZeal</i> | <i>State v Dumlao</i> |
| | <i>Nelson v State</i> | <i>Murray v State</i> |
| | <i>United States v Paul</i> | <i>State v Bier</i> |
| | <i>People v Rodriguez</i> | |



• POLICE LINE • DO NOT CROSS • POLICE LINE • DO NOT CROSS • POLICE LINE

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| Week 4 | | |
| September 9 th | | Felony Murder |
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| Cases | Commonwealth v Brown | United States V Jeffries |
| | People v Henderson | Commonwealth v scott |
| | State v Mayle | Commonwealth v Drum |
| | People v Swanson | |
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| September 11 th | | Degrees of Murder |
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| Cases | People v Perez | Callins v Collins |
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| Week 5 | | |
| September 16 th | Assault and Battery | |
| | | |
| Cases | State v Jimerson | People v Galvarino-Gonzalez |
| | United States v Bell | People v Iniguez |
| | United States v Jacobs | Commonwealth v Lopez |
| | People v Santiago | State v Harris |
| | Commonwealth v Berkowitz | |

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| Week 5 (continues) | | |
| September 18 th | Offenses Against the Habitation and Other Protected Entities | |
| Cases | <i>Woods v State</i> | <i>Nichols v State</i> |
| | <i>State v Neff</i> | <i>Hebron v State</i> |
| | <i>State v Mann</i> | <i>Walker v State</i> |
| | <i>People v Gauze</i> | <i>Gray v State</i> |
| | <i>Stowell v People</i> | <i>State v Bowen</i> |
| | <i>People v Dupree</i> | |
| Week 6 | | |
| September 23 rd | Chapter 4 Offenses against Property | |
|  | <i>People v Caridis</i> | <i>United States v Bowser</i> |
| | <i>Thompson v State</i> | <i>People ex rel. Koons v Elling, Sheriff</i> |
| | <i>Bell v State</i> | <i>Cummings v Commonwealth</i> |
| | <i>The Queen v Townley</i> | <i>The King v Pear</i> |
| | <i>State v Cohen</i> | <i>The Queen v Prince</i> |
| | <i>People v Walker</i> | <i>Wilkinson v State</i> |
| | <i>The King v Bazely</i> | <i>Regina v Hands</i> |
| | <i>Rex v Sullens</i> | <i>Regina v Thurborn</i> |
| | <i>State v Brooks</i> | <i>Brooks v State</i> |
| | <i>Morgan v Commonwealth</i> | <i>State v Kaufman</i> |
| September 25 th | Delivery by Mistake | |
| Cases | <i>Cooper v Commonwealth</i> | <i>State v Savage</i> |
| | <i>State v Langford</i> | <i>State v Langis</i> |
| | <i>Rex v Banks</i> | <i>State v Komok</i> |
| | <i>Regina v Riley</i> | <i>State v Delmarter</i> |
| | <i>State v Coombs</i> | <i>People v Tufunga</i> |
| | <i>People v Khoury</i> | <i>State v Skaggs</i> |
| | <i>People v Brown</i> | |



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| Week 7 | | |
| September 30 th | | |
| Cases | <i>State v Stahl</i> | <i>Bell v United States</i> |
| | <i>United States v Faulkner</i> | <i>State v Moses</i> |
| | <i>People v Ashley</i> | <i>State v Saylor</i> |
| | <i>State v Duncan</i> | <i>People v Home Insurance</i> |
| | <i>Allen v State</i> | <i>United States v McGovern</i> |
| | <i>Barker v State</i> | |
| October 2 nd | Chapter 5 Imputability | |
|  | <i>State v Quick</i> | <i>State v Mitchell</i> |
| | <i>State v Taft</i> | <i>People v Rojas</i> |
| | <i>People v Decina</i> | <i>United States v Oviedo</i> |
| | <i>State v Kimbrell</i> | <i>State v Wilson</i> |
| | <i>Moffett v State</i> | <i>State v Blechman</i> |
| | <i>People v Callie</i> | <i>Stewart v State</i> |
| | <i>People v Van Ronk</i> | <i>State v Peterson</i> |
| | <i>People v Rizzo</i> | <i>Biddle v Commonwealth</i> |
| | <i>Young v State</i> | <i>Commonwealth v Teixeira</i> |
| Week 8 | | |
| October 7 th |  | |
| October 9 th | | |
| Cases | <i>Jones v United States</i> | <i>State v Williams</i> |
| | <i>Davis v Commonwealth</i> | <i>State v Trusdell</i> |
| | <i>Van Buskirk v State</i> | <i>State v Hanks</i> |
| | <i>State v Sowell</i> | <i>United States v Payan</i> |
| | <i>Rosemond v United States</i> | <i>Gebardi v United States</i> |
| | <i>People v Brown</i> | |

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| Week 9 | | |
| October 14 th | | |
| Cases | <i>People v Swain</i> | <i>United States v Rosado-Fernandez</i> |
| | <i>United States v Loscalzo</i> | <i>Rex v Huggins</i> |
| | <i>Pinkerton v United States</i> | <i>People v Canadian Fur Trappers</i> |
| | <i>Marquiz v People</i> | <i>Burrage v US</i> |
| | <i>United States v Turkette</i> | |
| October 16 th | | |
| Cases | <i>People v Stamp</i> | <i>State v Leopold</i> |
| | <i>State v Sauter</i> | <i>People v. Aiyash</i> |
| | <i>Letner v State</i> | <i>Lewis v State</i> |
| Week 10 | | |
| October 21 st | Chapter 7 | |
| Cases | <i>State v Q.D.</i> | <i>Kahler v KANSAS</i> |
| | <i>Corder v Rogerson</i> | <i>State v Diaz</i> |
| | <i>McKeiver v Pennsylvania</i> | <i>State v Fetters</i> |
| October 23 rd | | |
| Cases | <i>People v Weinstein</i> | <i>State v Cooper</i> |
| | <i>State v Smith</i> | <i>Harris v State</i> |
| | <i>People v Ramsey</i> | <i>Commonwealth v Hathaway</i> |
| | <i>Fulcher v State</i> | <i>Montana v Egelhoff</i> |
| Week 11 | | |
| October 28 th | | |
| Cases | <i>People v Saille</i> | <i>State v Cude</i> |
| | <i>Burrows v State</i> | <i>People v Marrero</i> |
| | <i>Powell v Texas</i> | <i>People v Weiss</i> |
| | Chapter 8 | |



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| Week 11 (continues) | | |
| October 30 th | | |
| Cases | <i>Lambert v California</i> | <i>People v Crane</i> |
| | <i>People v Hernandez</i> | <i>People v Anderson</i> |
| | <i>People v Cash</i> | <i>Tyner v State</i> |
| Week 12 | | |
| November 4 th | | |
| Cases | <i>Tyler v State</i> | <i>United States v Bygrave</i> |
| | <i>State v Burney</i> | <i>R. v Brown</i> |
| | <i>Commonwealth v Capitolo</i> | <i>United States V Dykes</i> |
| | <i>People v Cook</i> | |
| November 6 th | | |
| Cases | <i>State v Munnell</i> | <i>Chapter 9</i> |
| | <i>Regina v Holland</i> | <i>State v Mantelli</i> |
| Week 13 | | |
| November 11 th | | |
| Cases | <i>Commonwealth v Emmons</i> | <i>State v Oellette</i> |
| | <i>State v Barr</i> | <i>People v Goetz</i> |
| | <i>People v Ceballos</i> | |
| November 13 th | | |
| Cases | <i>Brown v United States</i> | <i>State v Saunders</i> |
| | <i>People v Aiken</i> | <i>Alexander v State</i> |
| | <i>Dorsey v State</i> | <i>People v Curtis</i> |
| | <i>Cooper v United States</i> | |



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| Week 14 | | |
| November 18 th | | |
| Cases | <i>State v Mitcheson</i> | <i>People v Ceballos</i> |
| | <i>People v Wood</i> | <i>People v Barraza</i> |
| | <i>Commonwealth v Donahue</i> | <i>Jacobson v United States</i> |
| ***THIS SYLLABUS IS SUBJECT TO CHANGE!!!!*** | | |
| Thursday, November 20 th and Tuesday, November 25 th FINAL REVIEW | | |
| Tuesday, December 2 nd – Saturday, December 7 th STUDY WEEK | | |
| Monday, December 8 th – Thursday, December 18 th EXAMS | | |

FINAL EXAM