

**CRIMINAL LAW**  
Professor Alexander

**Required Readings:**

Dressler, Ch. 29 (to p. 449)

**Problem Set 20**

1. D says to X, "Let's go knock off a liquor store." X says nothing, but proceeds to get into his car, open the passenger door for D, and then drive to a liquor store. Is D guilty of conspiracy to rob a liquor store with X? Is he if X is, unbeknownst to D, an undercover cop? (One-half page)
2. D, a landlord, agrees with P, who D knows is a prostitute, that P shall rent an apartment from D for \$700 per month, about \$200 per month more than the apartment is worth. P's ability to pay the rent is dependent upon her "business" success, a fact known to D. Has D conspired with P with respect to P's engaging in prostitution? (One-half page)
3. A and B agree to try to sell some bottles of aspirin. Unbeknownst to them, some of the bottles are mislabeled. Selling mislabeled drugs is a strict liability offense. Are A and B guilty of conspiring to commit this offense? What if their purpose is to sell "properly labeled aspirin," which they believe these bottles are? (One-half page)
4. A and B agree that A will seduce V tonight. Unbeknownst to them, V is under 16. The crime of statutory rape treats the victim's age as a strict liability element. Have A and B conspired to commit statutory rape? What if their purpose is "sex with an over 16 girl," which they believe V is? (One-half page)
5. A and B agree to go riding in B's car, which, unbeknownst to them, has defective brakes. Driving with defective brakes is the crime of "negligent operation of a motor vehicle." Are A and B guilty of conspiracy with respect to that crime? What if their purpose is "driving a safe car," which they believe B's car is? (One-half page)
6. A and B agree to drive B's car at 90 mph, a speed that they know is reckless with respect to killing or injuring someone. If they were to drive that speed and kill someone, they would be guilty of voluntary manslaughter or perhaps even murder. Are they guilty of conspiracy to commit those crimes? of conspiring to commit the crime of "reckless operation of a motor vehicle"? (One-half page)
7. P, an undercover police agent, "agreed" with D that D should enter V's store with P's help and steal some merchandise. P intended for D to enter the store and bring out some merchandise, at which point P planned to arrest D and return the merchandise to V. Burglary is defined as "unlawful entry with the intent to commit, among other things, larceny." Larceny requires an intent "permanently to deprive the rightful owner of

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possession.” Is P guilty of conspiracy to commit burglary with D? conspiracy to commit unlawful entry? Is D guilty of these conspiracies? (One-half page)

8. Thelma and Louise buy a lottery ticket. Their odds of winning are one in a million. They agree that if they win, they will bump off their husbands and live as high-rolling swingers. Have they conspired to commit murder? (One-half page)

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