

**CRIMINAL LAW**  
Professor Alexander

**Required Readings**

Read Dressler, Ch. 12; materials available in PDF online at [www.sandiego.edu/~larrya](http://www.sandiego.edu/~larrya)

**Problem Set 7**

1. Look at the chart on p. 308 of the Robinson casebook, i.e., the chart on p. 728 of the Stanford Law Review article, which is the first page of the attached materials. Write a two-page memo explaining the logic of the chart.

2. Write a one-page memo analyzing the cases in the reading materials available online—*Morgan* and *Short*—in terms of the chart.

3. Dan, using a bow and arrow, kills his sweetheart, Polly Von, believing her to be a swan because “she had her apron draped about her”(in the words of an old Joan Baez folk song). Assume the following laws in the jurisdiction:

1<sup>st</sup> degree homicide = knowingly or purposely killing a human being = life imprisonment

2<sup>nd</sup> degree homicide = reckless homicide = 1 year imprisonment

3<sup>rd</sup> degree homicide = negligent homicide = one-half year imprisonment

Swanicide = killing a swan = one year imprisonment

Attempted swanicide = attempted killing of a swan = one-half year imprisonment

Under Model Penal Code, § 2.04, of what should Dan be convicted? Answer in one page.