

Law Library Weekly Gazette Feb. 28, 2005

Welcome

to the premiere issue of Law Library Weekly Gazette. This publication is brought to you by the staff of the Law Library as part of our continuing efforts to provide information, assistance, and clear lines of communication, hopefully in both directions. If you have any ideas, questions, or suggestions about this publication, please contact the editor, Steven Feller, at sfeller@ggu.edu; 415-442-6683.

Online Research Library-Hot Topics; Student Study Aids

The Law Library's web page is an excellent source for access to all types of information. The "Hot Topics" section includes links to documents from the terrorist attacks on September 11, 2001; "Current Law News" for links to daily discussions of newsworthy legal issues; and "Legal Research Tools" with links to various online resources. The "Student Study Aids." area includes access to special law school student websites at Westlaw, Lexis, PLI and Findlaw, as well as resources to assist students studying for the bar examination. This area also includes access to Practice Exams. The link to practice exams is one of the most popular areas on the Law Library webpage. Thanks to a student request you will notice a new finding aid for locating past law school exams. Along with the usual method of searching by Professor's Name, you can also Find Exams by Course Name, thus enabling easier access to more practice exams. Practice, practice, practice.

Learn More in Workshops

Workshops meet on Tuesdays at 12 noon. Sign up at the Law Library Circulation Desk.

Bar Exam Workshop; This workshop is designed to help you prepare for the California Bar. Specifically, the topics covered include exam writing and how to structure Bar Essays.

Mar 1, 2005; Room P-29; with Mohammed Nasralla.

A Cruise Through the Law Library Web Page; This workshop is designed as a guide to the organization of the Law Library web research portal.

March 15, 2005; Room P-29; with Janet Fischer.

Legal Online Databases (Hein Online, Legal Trac, Matthew Bender Authority, UN Treaty); This workshop is designed to guide online users through some of the most popular online databases.

March 22, 2005; Room P-29; with Steve Feller.

Bar Exam Workshop; This workshop is designed to help you prepare for the California Bar. Specifically, the topics covered include exam writing and how to structure Bar Essays.

Mar 29, 2005; Room P-29; with Mohammed Nasralla.

Interesting Case Reversed on Appeal

Defendant was convicted of attempted extortion. The conviction was based on testimony that established that defendant threatened to collect one half of victim's earnings, if victim returned to a life of prostitution. The court found that defendant's threat showed the preparation stage of a possible future crime, but did not establish the crime of attempted extortion.

Extortion is defined in pertinent part by Penal Code section 518 as "the obtaining of property from another, with his consent, ... induced by a wrongful use of force or fear...." This crime, which is sometimes called "blackmail," differs from robbery in that the property is obtained with the consent of the victim. Appellant was convicted of violating Penal Code section 524. It punishes "[e]very person who attempts, by means of any threat, such as is specified in Section 519 of this code, to extort money or other property from another...." The pertinent threat specified in section 519 is that of "an unlawful injury to the person or property of the individual threatened...."

The elements of the crime of attempted extortion are (1) a specific intent to commit extortion and (2) a direct ineffectual act done towards its commission. Preparation alone will not establish an attempt. There must be some appreciable fragment of the crime committed and it must be in such progress that it will be consummated unless interrupted by circumstances independent of the will of the attempter.

Conviction reversed! See People. Sales (2004) 116 Cal.App.4th 741

Interesting Crimes

The following scenarios are digested from recent news reports, thus derived from real life events. They are offered here not because they require exact answers, but because they demonstrate the availability of several arguments from different perspectives. Enjoy.

Defendant is accused of a crime when he throws victim overboard during a bay cruise. The victim started an argument with Defendant when he saw him dancing with Victim's girlfriend. A fight ensued and victim drowned in the icy bay waters. Choose a crime:

- a: Assault
- b: Battery
- c: Manslaughter
- d: Murder
- e: No Crime; Merely a sad accident.

A disenchanted wife is accused of committing a crime when she intentionally uses a combination of burning incense, spraying air freshener and dousing herself with strong perfumes to annoy her extremely chemical-sensitive husband. Choose a crime:

- a: Assault
- b: Battery
- c: Attempted Murder
- d: No Crime; Refer couple to Family Court