

**Final Examination**  
**CRIMINAL PROCEDURE I**  
**Professor Moskovitz**  
**Fall 2005**

1. You have **two (2) hours** to complete this exam.
2. This is a **closed** book exam.
3. This exam consists of two parts.

**Part I** consists of multiple-choice questions. Please mark your responses to the multiple choice questions on the separate ParSCORE TEST FORM using pen or pencil and following the instructions on that form. If you change your answer, place a clear **X** through the wrong answer and mark the correct answer. A machine will score the exam and any ambiguities will be counted as a wrong answer.

**Part II** consists of one (1) essay question. Please write your response in the blue books provided. Please write clearly. Write on every other line and every other page to permit instructor comments.

4. Write your exam number on your exam envelope. Put your correct class section and student exam # at the top of this page, each page of questions, each blue book, and the ParSCORE TEST FORM. **Do not** use your name, student ID number or Social Security Number on any exam materials.
5. At the conclusion of the exam, return all test materials, including blue books, ParScore answer sheet, scratch paper, and this exam packet to the envelope and submit it to the proctor. **DO NOT** seal the envelope. Students who do not return all exam materials at the end of the exam may not be graded.

**PART II: ESSAY QUESTION**

**50% of Grade**

To: My law clerk

From: Mary Goround, Esq.

My client, Tony Soprano, has been charged with robbery and conspiracy to commit robbery. I've filed a motion to suppress from the trial any testimony by Officer Copp that Tony made the following statements:

1. I guess you got us, copper.
2. I steal only the best for my boys.
3. I placed them with good homes.
4. Well, Nordstrom's suit.

At the hearing on the motion, I expect Officer Copp (C) to testify in accord with the following police report. Will the court grant any part of my motion?

#### Police Report

Last Monday at 11 p.m., I was walking by the Bada Bing, a bar and strip joint owned and operated by Silvio. A sign on the front door said, Closed. Through the window, I saw nobody in the place except Silvio, Tony, Christopher, and Paulie all sitting at a table together. Tony is a local Mafia boss who comes to the Bada Bing almost every night to meet with the other three, who are his underlings. A Nordstrom truck full of men's suits (Armani, black pin-stripe) had been robbed the night before, and I thought Tony and his guys might have done it. I opened the door, went in, and said, You guys know anything about that Nordstrom truck hijack? The four men turned to look at me. All four were wearing brand new black pin-stripe Armani suits. Tony grinned and said, I guess you got us, copper. I arrested all four of them. I said to Paulie, Nice fit, Paulie. Tony said, I steal only the best for my boys. I told them their *Miranda* rights.\* Tony said, Yeah, yeah, tell me something I don't know. I said, Where's the rest of the suits? Tony said, I placed them with good homes. That's about all I got to say. I locked the four of them in my patrol car. Tony said, Hey! Don't crowd me. You'll wrinkle my suit. I said, *Your* suit? Tony said, Well, Nordstrom's suit.

\* Assume the *Miranda* rights were correctly stated.

**END OF EXAM**