

# CRIMINAL LAW

COLQUITT  
FALL, 2017

## *Initial Assignments*

---

Course casebook: KADISH, SCHULHOFER & BARKOW, CRIMINAL LAW AND ITS PROCESSES (10<sup>th</sup> ed. 2017)

Please read the applicable assignment before the class session. To understand the assignments, simply remember that, for example, T 1-18 is a reference to pages 1 through 18 of the course casebook [Kadish]; MODEL PENAL CODE § 1.05(1) / TA 1270 refers to Section 1.05(1) of the Model Penal Code which appears on page 1270 of the Appendix [MODEL PENAL CODE] in the back of the Kadish book. When other codes or statutes are assigned, you will need to obtain those materials from the Library. I suggest that you not rely solely on Westlaw or Lexis for this purpose because you should be learning how to find printed legal materials in addition to using computer-based research. Westlaw and Lexis are helpful and quick, but books remain part of the legal terrain that you must learn to navigate.

## INTRODUCTION

BACKGROUND READING: Although we may not focus on the materials in class, you should read T 1-18 (to § D) and review the case flow chart on T 19 for a brief overview of the criminal justice system.

### ASSIGNMENT 1 – An Overview of Pleas and Trials / Proof Beyond a Reasonable Doubt

T 38(§ 3)–43 (to § a); T 53(§ 4)–61 (to Note 7)  
*In re Winship* (T 38-39)  
*Duncan v. Louisiana* (T 53-56)  
MODEL PENAL CODE §§ 1.05(1) [TA 1270]; 1.12 [TA 1272]  
ALA. CODE § 13A-1-4

## PUNISHMENT

### ASSIGNMENT 2 – The Justification of Punishment

T 89(§ B)–108 (to Problem)  
*Regina v. Dudley & Stephens* – T 89-94

### ASSIGNMENT 3 – What to Punish

*Lawrence v. Texas* – TWEN  
MODEL PENAL CODE § 213.2 [TA 1303-1304]  
ALA. CODE §§ 13A-6-65(a)(3); 13A-11-9(a)(3)