CONCord Law SchOol
Kaplan University

CONCORD LAW SCHOOL OF KAPLAN UNIVERSITY
FINAL EXAMINATION
CRIMINAL PROCEDURE

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EXAM INSTRUCTIONS

Note to student: This exam is for Criminal Procedure in the Summer 2015 Term. If you are not taking Criminal Procedure in the Summer 2015 term, please contact Administration immediately (866-584-2005).

1. This is a two (2) hour examination.

2. The exam is to be completed on your computer and submitted in the same fashion as you did during the school year. The exam file must be submitted by the time indicated in the exam schedule. The interface that allows submissions will close fifteen minutes after the ending time of the exam, as indicated in the exam schedule. If your exam is not received or we are not contacted before the deadline, your exam will be subject to penalties up to and including non-acceptance of the entire exam. As a precaution, you must have immediate access to a fax machine while taking your exam to ensure your ability to submit your essay in time. Concord Law School of Kaplan University’s fax number is 866-562-7035. Please contact Administration if you have any questions about your exam by telephone at 866-584-2005 or email administration@concord.kaplan.edu. The Tech Center can be reached at 866-577-0436.
# Multiple Choice Answer Sheet

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1. One evening, Marcia was arrested by State X Police Officers and charged with selling illegal drugs. Marcia was taken to the State X Police Department and put in a holding cell with Sally who had been arrested for burglary earlier the same day. Sally had worked with the State X police in the past as an informant and based on her past experience believed that if she could obtain a confession from Marcia, Sally could bargain with the prosecution for a reduction in the burglary charges against her. While Sally and Marcia were both in the same holding cell, Sally asked specific questions directly related to the crime that Marcia had been arrested for. Marcia answered Sally’s questions about the drug offense, and Marcia confessed to the crime. Marcia was never read her *Miranda* rights. Marcia was subsequently convicted of the crime of selling illegal drugs based primarily on Sally's testimony regarding the conversation between Sally and Marcia in the holding cell. The charges against Sally were subsequently dropped. If Marcia appeals her conviction claiming that Sally's testimony was not admissible, the appellate court should rule that Sally's testimony is

A. admissible, because the confession was not the product of any government conduct.

B. not admissible, because the statements were acquired as the result of custodial interrogation.

C. not admissible, because the questions by Sally were intended and likely to elicit an incriminating response from Marcia.

D. not admissible, because *Miranda* rights must always be given immediately after an arrest has been made.

2. The federal government immigration service and State Y police were engaged in a joint effort to crack down on persons engaged in smuggling illegal aliens into the United States from Canada across the border into State Y. David was legitimately suspected to have transported illegal aliens across the border, and a police informant told the State Y Police Department that David planned to transport another illegal alien across the border on Friday. On that Friday, David was stopped near the border by a State Y police officer who had probable cause to suspect that David was illegally transporting Canadian aliens into State Y. The officer approached David, and requested that David get out of David’s car. David immediately got out of his car. The officer then searched David’s car. The officer opened David’s glove compartment and found illicit drugs, at which point David was arrested and charged with illegal drug possession. David was found guilty at trial of illegal drug possession. If David appeals his drug conviction on the theory that the search of his car violated his right to be protected from illegal search or seizures, what would be the probable result of the appeal?

A. Conviction upheld, because the illegal drugs are contraband and indisputable evidence of a crime.

B. Conviction overturned because the officer lacked probable cause or reason to believe evidence of the crime for which David was arrested would be found in the glove compartment.
C. Conviction upheld, because warrantless searches of automobiles are one of the exceptions to the normal procedure of securing a warrant through a decision by a neutral magistrate.

D. Conviction overturned, because an automobile driver has a reasonable and legitimate expectation in the privacy of his automobile that can never be violated absent a valid search warrant.

3. City Police Officers were told by an informant that Brittany had a stolen television set in the basement of her house. On the affidavit submitted to the magistrate, City Police Officer Linda wrote the following: “Reliable informant stated Brittany has a stolen Zenith television set in the Northwest corner of Brittany’s basement. The basement is believed to contain an infestation of cockroaches.” Officer Linda had no reason to believe that Brittany’s basement contained an infestation of cockroaches. A search warrant was issued subsequent to the submission of the affidavit by Officer Linda, and the basement of Brittany’s house was searched, uncovering a stolen Zenith television set. There was no cockroach infestation in Brittany’s basement. Brittany was arrested, brought under police custody, and tried for the theft of the television set. If during trial, Brittany motions the court to decide that the warrant to search her basement was invalid because a false statement was made by Officer Linda on her affidavit, would the court likely grant the motion?

A. No, because there could have possibly been a cockroach infestation in Brittany’s basement.

B. Yes, because Officer Linda, as the affiant, made an intentionally or recklessly false statement concerning a cockroach infestation in Brittany’s basement.

C. No, because the issue of whether there were cockroaches in Brittany’s basement was not material to the issue of whether there was a stolen television set in her basement.

D. Yes, because the area described as containing the cockroach infestation was part of the area particularly described to be searched within the affidavit.

4. Anytown Police Officers suspected that Cody had stolen a stereo system from Jack’s Stereo Store. Jack, the owner of the store, knew Cody, and he saw Cody running down the street carrying a stereo system moments after he (Jack) noticed one of his stereo systems missing. Cody was 22 years old, and he lived at home with his parents. Anytown police officers arrived at Cody’s house without a search warrant. They knocked on the door, and a woman who truthfully identified herself as Cody’s mother answered. Cody’s Mother stated that Cody was not at home. The police officers stated the facts that led them to believe that Cody had stolen a stereo system from Jack’s Stereo Store. They then asked Cody’s Mother if she would consent to a search of Cody’s bedroom to see if the stolen stereo system was in Cody’s bedroom. Cody’s Mother had no idea that she could refuse consent and would have refused consent for the police officers to enter had she known. However, she consented to the request and the police officers searched Cody’s bedroom. The search of Cody’s bedroom did not turn up any stolen merchandise.
police officers then searched the bedroom of Cody's Mother, and after looking for a few minutes, they found illegal narcotics under her bed. The police officers seized the narcotics. Cody's Mother was subsequently arrested, charged with and tried for possession of illegal narcotics. If at trial Cody's Mother makes a motion requesting that the court rule that the seizure of the narcotics was in violation of her rights under the Fourth Amendment, will the court be likely to grant the motion?

A. No, because Cody’s Mother, as an equal occupant of the residence, gave voluntary and intelligent consent to the Anytown police officers to conduct the search.

B. Yes, because a search warrant must be issued by a neutral magistrate, and it must be based on relevant probable cause, before a search of an area where a person has a reasonable and legitimate expectation of privacy will be deemed constitutional under the Fourth Amendment.

C. No, even though Cody’s Mother was not aware that she could exercise her right to refuse consent to the Anytown police officers to search the house.

D. Yes, because the Anytown police officers had neither consent nor a valid search warrant authorizing them to search the bedroom of Cody’s Mother.

5. City police officers received a tip from a reliable source that Deft was growing marijuana in his backyard. When the officers went to Deft's home to verify the information in the tip, they could not see any marijuana because Deft's home and yard was completely surrounded by an 8-foot high fence and posted with several visible "No Trespassing" signs. The fence made it impossible to see into Deft's home or yard from the sidewalk or the street. Without obtaining a search warrant, the police officers flew over Deft's yard with a helicopter, hovering for several minutes directly over Deft's yard and peering into Deft's yard. The officers observed several large marijuana plants growing in Deft's yard. The officers later obtained a search warrant based on their observations from the helicopter. They served the warrant on Deft and seized the marijuana plants. In Deft's criminal trial for possession of marijuana, Deft moved to exclude the marijuana and the police observations. How should the court rule on Deft's motion?

A) Grant the motion, the officers' activities violated Deft's reasonable expectation of privacy.

B) Grant the motion, the officers' observations intruded into the curtilage of Deft's home.

C) Deny the motion, the officers' observations were based on legal and adequate probable cause.

D) Deny the motion, the officer's surveillance and observations did not constitute a search and the marijuana was seized pursuant to a valid search warrant.
6. Based on the assumption that there was no warrant and no probable cause to support the acquisition of each item of evidence described below, which of the following is least likely to be admitted into evidence?

A) Evidence obtained from a plain view observation.

B) Evidence seized by state officials and given to federal authorities for use in a federal prosecution.

C) Evidence seized from the automobile of the defendant's brother and used against the defendant.

D) Evidence offered in a civil proceeding.

7. Jones was scheduled to testify in a civil trial concerning his personal activities as an employee of the Wildacre Corporation. Jones was advised by his attorney that he had the right to seek protection under the Fifth Amendment if any question in the civil proceeding should present a possible issue of self-incrimination. Jones testified freely in spite of the advice from his attorney. Jones was subsequently arrested and charged with a criminal felony for actions arising out of the same facts and events that he had testified to in the civil court proceeding. The prosecution even used the testimony that Jones gave in the civil trial as evidence in the criminal proceedings. Jones issued a motion to have the testimony from the civil trial ruled inadmissible as evidence in the criminal proceedings on the theory that such evidence violated his right against self-incrimination under the Fifth Amendment. Which of the following is the most probable result of the motion by Jones to have the testimonial evidence from the civil trial excluded from the criminal trial?

A. The motion will be denied, because agents of corporations or partnerships may not seek the protection of the Fifth Amendment.

B. The motion will be granted, because testimonial evidence from a non-criminal proceeding cannot be used in a future criminal proceeding.

C. The motion will be denied, because Jones waived his right to seek protection under the Fifth Amendment as to statements made at the civil trial.

D. The motion will be granted, because a citizen always retains the right to invoke the protection against self-incrimination under the Fifth Amendment in a criminal trial.

8. Sylvia was a prosecution witness in the felony prosecution trial of Maria regarding an illegal drug transaction in State Red. Sylvia testified that Maria met Robert at the bus station, at which time Robert gave a bag containing illegal drugs to Maria. Sylvia also provided the exact date and the exact time of the transaction. She gave no other relevant testimony. Later, based on Sylvia's testimony and the testimony provided by another prosecution witness, the State Red Police Department obtained evidence that Sylvia accompanied Maria at the time of the illegal drug transaction. After obtaining this information, the State Red Police Department immediately
arrested Sylvia as she left the courtroom after testifying. They charged her with a crime related to the same drug transaction described above, and prosecuted her for that crime. If all of the above testimony is shown to be true, then was Sylvia properly arrested?

A. No, unless the officers obtained an arrest warrant before arresting Sylvia.

B. Yes, because the officers had sufficient probable cause to arrest Sylvia based on the testimony of Sylvia or from other sources.

C. No, because evidence secured by means of testimony used against the witness to forward a criminal prosecution of the witness is violative of the right to avoid self-incrimination.

D. Yes, unless Sylvia was given her Miranda rights prior to testifying in the case.

9. Eva was a writer who was critical of the United States government. She felt that all drugs that were considered illegal in the United States, should be legalized. She wrote about these views in many publications. She also used drugs that were illegal. Through a police informant, police believed they had probable cause to search Eva’s home for illegal drugs. An affidavit was submitted in support of the search warrant, but it failed to list the informant’s identity. A magistrate, who was paid a salary by Anytown, issued a search warrant to search the home of Eva. Specifically, the warrant stated that Eva’s person and Eva’s living room could be searched, and the matter to be seized was cocaine (an illegal drug in Anytown). After the warrant was issued, and without unreasonable delay, the police showed up at Eva’s home with said search warrant. Eva was visiting with her friend Muriel, when the police showed up at her home, and the police announced their presence. Eva let the police into her living room, and the search uncovered small bags of cocaine and small expensive measuring devices, on the persons of both Eva and Muriel. If the above set of procedures were to be challenged, which of the following would be most likely to be deemed unconstitutional?

A. The magistrate was not neutral and detached because she received a salary from Anytown.

B. The search warrant did not state with particularity to search both Eva and Muriel.

C. The informant was never identified in the affidavit in support of a warrant.

D. The measuring devices were not listed in the search warrant as an item to be searched for by the police.

10. Bill was arrested for murder and taken into police custody. The arresting officers advised Bill of his Miranda rights and Bill immediately refused to answer any questions and requested an attorney. Before Bill's attorney arrived at the police station, Bill's wife arrived. Bill asked the police if he could speak to his wife. The police agreed, but only on the condition that Bill agree to allow any conversation between Bill and his wife to be recorded on videotape. Bill agreed and he spoke to his wife for 20 minutes while being videotaped. At his subsequent murder trial, Bill
offered evidence that he struck the victim in the heat of passion during a fit of uncontrolled rage. The prosecution seeks to introduce the videotape as impeachment evidence. If Bill seeks to exclude the videotape, the court should rule that the videotape is

A) Inadmissible, the use of videotape to record Bill's conversation was the functional equivalent of interrogation.

B) Inadmissible, the use of the videotape would violate Bill's reasonable expectation of privacy.

C) Admissible, the videotape is a voluntary statement.

D) Admissible, because the videotape has only been offered as impeachment evidence.

11. Emily was lawfully arrested and taken into Anytown Police on a felony theft charge. Emily was taken to the police department, and detained in a holding cell. After more than two hours in the holding cell, an Anytown Police Officer questioned Emily as regards whether Emily would like something to eat or drink. Emily had not been read her Miranda rights up until this point. Emily answered the question, and blurted out while answering that she was sorry that she had committed the theft. Emily's confession was later offered into evidence by the prosecution in her criminal theft trial. Emily moved to have her confession suppressed, because she had not been read her Miranda rights prior to her confession. Under the circumstances as stated above, would Emily’s confession most likely be suppressed due to a violation of Emily’s Miranda rights?

A. Yes, because the Anytown Police Officer questioned Emily without first reading Emily her Miranda rights.

B. No, because the Anytown Police Officer did not ask Emily questions directly related to the charged crime.

C. Yes, because Miranda rights need be read upon arrest, and Emily had been in a holding cell for over two hours.

D. No, because Emily could have requested an attorney on her own, without having been read her Miranda rights.

12. Jonathan was arrested without probable cause by the City Police Officers for the crime of common law arson and taken into custody. However, as soon as Jonathan arrived at the City Police Department, Jonathan was properly read his Miranda rights by a City Police Officer. Jonathan was not interrogated, he merely sat at the station for the afternoon while in police custody. Then, after he was properly read his Miranda rights yet again by a City Police Officer, Jonathan voluntarily confessed to the crime of common law arson. At no other time did Jonathan confess to the crime. Jonathan was subsequently tried for common law arson. As his trial, Jonathan motioned the court to suppress his (Jonathan’s) confession which was given at the City Police Department. Will Jonathan most likely succeed in his motion to suppress the confession?
A. Yes, because he was arrested without probable cause.

B. No, because he was properly read his Miranda rights by City Police on two separate occasions.

C. Yes, because a confession given without counsel present is never admissible as evidence in a criminal trial.

D. No, because he freely gave the confession without being pressured under police interrogation.

13. Quentin was convicted of common law robbery, and sentenced to ten years of imprisonment as a punishment for the crime. Quentin, however, felt that he was unjustly convicted. He prepared his own appeal, and filed said appeal on his own, or *pro se*. Soon after he filed the appeal, he motioned the court that he be appointed the assistance of counsel to help with the appeal. At all points in this procedure, Quentin operated without a dime to his name. Under the circumstances as stated above, would Quentin likely succeed in his motion for a court appointed attorney to assist him with the appeal?

A. No, because the Sixth Amendment right to counsel is applicable only to the original criminal trial, and it does not apply to appeals of a conviction.

B. Yes, because Quentin was indigent and this was his first appeal of the conviction for common law robbery.

C. No, because Quentin failed to request counsel at the filing of his appeal, which would constitute a waiver of his right to counsel.

D. Yes, because it would be manifestly unfair for Quentin to continue in his appeal process without the assistance of counsel.

14. Maria was called as a witness in a congressional investigation. Maria had no criminal charges levied against her at the time of her congressional hearing, and she was not under suspicion for having perpetrated any criminal acts. The nature of the congressional investigation was to ascertain whether other people Maria worked with had taken the correct actions in their dealings with the United States government. Maria showed up at the congressional hearing with her attorney present. After a question had been asked by one of the Congresswomen, Maria invoked her Fifth Amendment right to be free from answering questions which may serve to incriminate her, and she refused to answer a question. Given only the facts as stated above, would Maria most likely have a right to assert her Fifth Amendment right against self-incrimination while testifying before a congressional hearing?

A. Yes, if Maria thought that her testimony at the congressional hearing might be self-incriminatory in nature.
B. No, because Maria was only involved in a congressional hearing, and there were no criminal charges against her.

C. Yes, because every United States citizen may always assert their Fifth Amendment right against self-incrimination, in any forum.

D. No, because Maria had her attorney present to advise her, which is the only process due under the Fourteenth Amendment.

15. Anytown Police were informed by an unknown informant that Mollie was making counterfeit money in the attic of her home. The Anytown Police wrote an affidavit based on this information in support of a search warrant and submitted it to the Anytown magistrate. The affidavit did not state the identity of the informant. The Anytown magistrate was a hard worker, and she was paid according to how many citations and search warrants she approved. The search warrant was approved by the magistrate, and the search warrant stated that the Anytown Police could search the entire home of Mollie in order to try and find counterfeit money, or to try and find other fruits or instrumentalities of the crime of counterfeiting. The Anytown Police arrived at Mollie’s home five days later, and promptly entered her house. The police searched her house, and found counterfeit money in the attic. At Mollie's criminal trial, Mollie made a motion to suppress the counterfeit money seized from her attic. Which of the following choices would be the WEAKEST argument to support the motion to suppress?

A. The manner in which the magistrate was paid was unconstitutional.

B. The scope of the search as described in the search warrant was unconstitutional.

C. The use of an anonymous informant as the sole source of probable cause in the affidavit used to secure a search warrant was unconstitutional.

D. The manner in which the police carried out the search warrant was unconstitutional.

16. Josiah was shopping in a jewelry store, when he decided that he would like some jewelry without paying for the jewelry. Josiah waited for the jewelry store owner to walk to the back of the store, at which point Josiah reached behind the counter and grabbed some jewelry. Just as Josiah grabbed the jewelry, the jewelry store owner saw Josiah trying to take the jewelry. Immediately, Josiah ran from the jewelry store with the jewelry. The jewelry store owner ran after Josiah yelling, "Stop thief" but was unable to catch up to Josiah. However, an Anytown Police Officer on foot patrol saw Josiah run from the jewelry store with the jewelry store owner in pursuit and heard the jewelry store owner yell. From where he (the Anytown Police Officer) was standing, he did not see Josiah carrying any jewelry. Based on the facts as stated above, which of the following actions by the Anytown Police Officer would be most proper?

A. Josiah could be detained in an investigatory stop based upon probable cause, but then an arrest warrant would be needed to effect a full custodial arrest.
B. Josiah could be read his Miranda rights, and then arrested based upon reasonable suspicion.

C. Josiah would be detained in an investigatory stop based upon reasonable suspicion, and then read his Miranda rights.

D. Josiah would be arrested based upon probable cause and then searched for weapons or evidence of a crime.

17. Theresa was arrested for armed robbery. However, before her arrest, State Police had searched her house for evidence, and found a gun and missing merchandise that was seized and taken in as evidence. At trial, Theresa maintained that the search by State Police was in contravention of her rights against unlawful search and seizure under the Fourth Amendment. The prosecution maintained that the search of Theresa’s house was fully within the bounds of Fourth Amendment protections. It remained unclear as to whether State Police had validly obtained a search warrant in order to search Theresa’s house. It was also unclear whether the actual search was conducted in a constitutional manner. Theresa filed a motion to exclude the gun and missing merchandise under the Fourth Amendment, while the prosecution maintained that the search was constitutional. Based only on the facts above, which one of the following choices is the most accurate?

A. In order to successfully suppress the evidence, Theresa must prove beyond a reasonable doubt that the evidence obtained is inadmissible.

B. In order to successfully suppress the evidence, Theresa must prove by a preponderance of the evidence that the evidence obtained is inadmissible.

C. In order to successfully overcome the motion to suppress, the prosecution must prove beyond a reasonable doubt that the evidence obtained is admissible.

D. In order to successfully overcome the motion to suppress, the prosecution must prove by a preponderance of the evidence that the evidence obtained is admissible.

18. Lauren was arrested for and charged with bank robbery. The police alleged that Lauren had demanded money from a bank cashier while she (Lauren) was wielding a gun, and threatening the bank cashier with violence. The bank robber was wearing a ski mask during the alleged crime, but did speak to the teller when demanding the money. The bank cashier was the only witness for the prosecution but could not identify Lauren by sight. The bank cashier could only identify the robber by the sound of the robber's voice. Lauren had earlier decided not to take the stand in her defense. The prosecution then motioned the court asking the court to allow the prosecution to obtain a voice sample from Lauren. Lauren’s attorney filed a responsive brief which contested the granting of such a motion only on the grounds of the Fifth Amendment right against self-incrimination. Given the facts as listed above, should the court grant the prosecution’s motion to obtain a voice sample from Lauren?
A. No, because a voice sample given by Lauren would violate her constitutional right under the Fifth Amendment, and as a criminal defendant, to be free from self-incrimination.

B. Yes, because a voice sample is not testimony.

C. No, because Lauren would not be taking the stand and the state cannot use circuitous routes to obtain evidence that it could not acquire through legitimate means.

D. Yes, because a voice sample from Lauren was the only way the bank teller could identify Lauren as the bank robber.

19. A man wearing an overcoat and walking with a limp, had beaten several bar patrons at Trixie’s Tavern. State Police had been searching for the man in question so they could charge him with criminal battery, which was a felony charge in State. Two days later, State Police Officer spotted Mason walking down Maple Avenue. Mason was wearing an overcoat in inclement weather. Mason was also walking with a limp. The State Police Officer thought that Mason must be the suspect wanted for criminal battery, because Mason was wearing an overcoat and walked with a limp, just as did the suspect for battery. Therefore, the State Police Officer walked over to Mason, and proceed to arrest Mason. Mason was brought to State Police Department, and read his *Miranda* rights, before being put in a holding cell. Mason then exercised his right to speak to an attorney. Mason told the attorney the exact events listed above. In fact, Mason was not the person who had beaten bar patrons at Trixie’s Tavern If Mason contested his arrest as unconstitutional, what would be the probable result?

A. The arrest would be deemed constitutional, because the State Police Officer had reasonable cause to believe Mason was a criminal suspect, and because Mason was read his Miranda rights.

B. The arrest would be deemed unconstitutional, because Mason was not, in fact, the person who had perpetrated the batteries at Trixie’s Tavern.

C. The arrest would be deemed constitutional, because the State Police Officer relied on facts within the circumstances of the situation, and thereby ascertained that Mason was a viable suspect who should be detained.

D. The arrest would be deemed unconstitutional, because the State Police Officer did not have sufficient cause or suspicion to justify the arrest.

20. Theresa was on trial for embezzlement. After her arrest, Theresa was never advised of her *Miranda* rights but answered questions posed by the police during custodial interrogation. While in police custody, the police seized papers from her home illegally because they failed to obtain a proper search warrant to justify the search. After testifying on direct examination that she had nothing to do with the embezzlement, the prosecution asked Theresa about the statements she made to the police after her arrest and also to comment on the authenticity of the papers seized from her home. Theresa objected to answer questions about her post-arrest statements and also
objected to answer any questions about the papers seized from her home on the grounds that both
the statements and papers were obtained unconstitutionally. The trial court overruled both
objections and ordered Theresa to answer the questions. Were the rulings of the trial court
correct?

A. No, because both Theresa's right against unlawful searches and seizures under the
Fourth Amendment and her right to receive *Miranda* warnings before answering
questions posed during custodial interrogation were violated.

B. No, Theresa’s right against unlawful searches and seizures under the Fourth
Amendment was violated through an unlawful search and seizure of her papers.

C. No, Theresa’s right to be read *Miranda* warnings before answering questions posed
during custodial interrogation was violated because she was not read her *Miranda* rights.

D. No, unless the questions about her post-arrest statement and the papers seized from her
home were asked on crossexamination to impeach her testimony given on direct
examination.
Paul, a police officer on duty, while driving on his usual beat, saw a couple vehemently arguing in a parked car. Paul stopped, approached the car, and asked the couple if everything was ok, which they both assured him was so. Two hours later, driving by, Paul saw that the same car appeared to have been abandoned. Paul pulled over, walked over to the car, and found a woman who appeared to be asleep in the front seat, who it turns out, had died. The woman appeared to have marks on her face related to a beating. Investigating the woman’s purse, the officer found that the woman’s last name was Jones, and that the car was registered to a Steve Jones, and he observed that she wore a wedding ring.

After clearing the scene with the medical examiner, Paul saw a man walking down a street three miles away who appeared to be the same man arguing with Mrs. Jones earlier that night. Paul attempted to stop the man, but he ran away, so Paul gave chase. Eventually Paul stopped the man, and asked him to identify himself. The man refused. Paul patted him down, and took him to the station for questioning. At the station, in an inventory of the man’s wallet, police found an ID in the name of Steve Jones, and in the wallet, a telephone number scribbled on a piece of paper. The police determined that the number belonged to the boyfriend of Mrs. Jones, who was heartbroken to hear of her death and who accused her husband Steve of murdering her out of jealousy. The police confronted the man with the telephone number on the paper, and the man then confessed to being Steve Jones. The police then arrested the man for the murder of Mrs. Jones, and booked him under the name of Steve Jones, which name he finally admitted to. After the arrest, Jones was read his Miranda rights. Jones then signed a waiver, and gave a complete confession to beating his wife and leaving her and then running away.

Please fully discuss whether Steve Jones will be able to suppress the following: Steve Jones’ ID, his wallet, the paper with the telephone number on it, the confession of identification, and the full confession after arrest.

(END OF EXAM)