USF School of Law
Spring 2020 – First Assignment

Course:
Evidence

Professor:
Jerry Coleman

Course Materials:
Merritt & Simmons, Learning Evidence: From the Federal Rules to the Courtroom (West, 2014, 3rd Edition); Supplemental Text: Mendez’s Evidence; A Concise Comparison of the Federal Rules with the California Code (West, 2016);

First Assignment:
Read Merritt & Simmons study guide & chapters 1-4; read Spiderman criminal case materials (on TWEN). Then note the following: California trial judges read jurors a standard instruction on the difference between direct & circumstantial evidence (but that they are treated equally). That example essentially says that if a witness comes to court to testify he just came in from outside where he observed it to be raining, that would be direct evidence; but if a witness testified he saw a man enter the courthouse from outside, wearing a dripping raincoat & shaking out his umbrella, that would be circumstantial evidence. Everyone should be prepared to create an example of both direct & circumstantial evidence.