USF School of Law
Spring 2022 – First Assignment

Course:

Criminal Externships

Professor:

Jerry Coleman

Course Materials:

Please reference the booklist on the USF Law Registrar’s Course Resources page.

First Assignment:

• Reading For 1st Time Externs: Learning from Practice, pages 237-241 and 252-256
• Reading For Repeat Students Only: Learning from Practice, pages 51-58 and 437-440
• Reading For All Students: (1) Opinion from US Supreme Court Chief Justice John Roberts; (2) Case Materials in People v. Whitehead (police reports, FBI reports, and preliminary hearing transcript, information charging [bank] robbery, inspector’s report of chronological, lineup, and digital video snapshots, legal issue caselaw materials, and appellate opinion)

Assignment for All Students: Defense has filed motion to set aside the Information (Penal Code section 995). All students will draft, turn in at start of class, and be prepared to discuss in class just the fact statement, not any legal analysis. Facts should be stated accurately, with citations to the preliminary hearing transcript; there should not be material omissions; and the statements should be written in compelling language to convince the Judge. But there is a twist: if you are assigned to a defense externship, you are writing the prosecution’s facts; if you are assigned to a prosecution externship, you are writing the defense’s facts. Students should also be prepared to discuss the following uses: 1. Should we charge both bank crimes or only the stronger one at US Bank? 2. Is there enough force or fear for a robbery? 3. Can the prosecution prove scientific intent to steal at US Bank? How can the prosecution use the Sherriff’s Deputy Molina’s identification, legally, and what can the defense do to mitigate that identification testimony. Email your assignment to Professor Coleman at jerrypcoleman@comcast.net before the start of class.
Additional Notes: