

Extra Credit Project - 3 points towards your final course grade

Read the following fact pattern. You are the Prosecutor. List the specific charges that you would indict the defendant on from the NY State Penal Code using the facts/evidence to support each charge you believe the defendant committed. This assignment must be typed. It is due no later than April 30th.

According to the evidence adduced below, Jason Schuhle--a 17-year-old youth--met defendant on a street in the Village of McGraw, New York, during the early morning hours of August 6, 1988. Schuhle--who, at the time, was extremely distraught over having recently broken-up with his girlfriend--immediately imparted to defendant his desire to kill himself. At defendant's invitation, Schuhle then accompanied him back to defendant's apartment. There, for approximately the next half hour or so, Schuhle--who had been drinking heavily--continued to express suicidal thoughts and repeatedly importuned defendant to shoot him. In response to these entreaties, defendant provided Schuhle with some more alcohol and challenged him several times to jump headfirst off the porch of his second-story apartment. Finally, defendant--who later explained to the police that he was "tired" of hearing Schuhle complain about wanting to die--told Schuhle that he had a gun which he could use to kill himself. Defendant then retrieved a British .303 caliber Enfield rifle from his gun cabinet, and handed it to Schuhle, along with a number of bullets. He then urged Schuhle to "put the gun in his mouth and blow his head off." Moments later, Schuhle loaded the rifle, pointed the barrel at himself and pulled the trigger. He later died as a result of the massive injuries he suffered.