

The Smiths may have a case of trespass to land against the Press because they repeatedly ask them ^{not} to turn into their driveway but the Press continue to turn into their driveway. The Press' intended to enter their land & the Smiths' custom or habit for them to turn into their driveway. It is unlikely that the Press

would win the argument
because the custom or habit
the Joneses have had no dangerous.
They were asked by the ~~interviewer~~^{stop}
The Smiths decided to stage
an accident & subsequently
during their ^{Smiths} truck into
the Joneses car is assault &
battery. The Smiths intended to
make contact with the Joneses
car, they did make contact
with the Joneses car & that
contact was both harmful
offensive. The Smiths are also

Guilty of assault in this case because they intended to cause fear or apprehension in the Smiths ^{(S)miths} forces & they did cause reasonable fear in the forces when they saw the Smiths truck coming towards them & the which could cause reasonable apprehension offensive contact (hitting the car was imminent). The Smiths could try to use the defense of defense of property however the Smiths would probably not be successful because one cannot

endanger life & limb in
defense of property, hitting the
Johsses car with their truck
could certainly pose a threat
to life & limb. Grandma may
have a false imprisonment
case against the Smiths because
^(Smiths) their ~~act~~ actions caused her
to be restrained against her
will in the car and Grandma
also knew that she was being
restrained. The Smiths would
^{have a chance}
~~probably~~ ^{wish} this case with

a negative defense because the element of intent was missing.

Although the Smeths intended

- The battery on the Foxes by hitting their car the Smeths did not directly intend to confuse Grandma. However if the Foxes used the idea of transferred intent they may well because the Smeths did intend for the ~~Foxes~~ - When Ingle raised his aim to shoot Foxes he was

assaulting Jones because Smith ^{intending} was ^{to} causing Jones fear or apprehension, Jones's apprehension was reasonable and the battery was imminent.

Smith could use the ^{self} defense (defense) because he heard Jones unlock & cock his gun. If Jones could also be assaulting Smith because when Smith heard Jones unlock & cock his weapon Smith could have had apprehension that battery

was unarmed, his apprehension was reasonable & battery was imminent. Smith could also use the self defense because he feared for his life. When Jones shot Smith he committed battery because he intended to make contact, he did make contact by shooting Smith & that contact was harmful. Since Smith shot back & 23 shots were exchanged he was also guilty of

battery because he clearly intended to make contact, did make contact & the contact was harmful. As for both men using self defense it would seem that 23 exchanged slelts falls more into the vengeance or retaliation category than self defense. They would both probably be found guilty of assault & battery because their self defense (defense) would not stick because of the

aggressive nature of their exchange
which certainly resulted in a
breach of the peace. The Joneses
would probably ^{try} have a case
against the Smiths for TIED
because it wasn't just Mr
Jones that the Smiths targeted
by hitting the car. However since
Grandma & Jerry vomited at
the sight of the blood from the
shooting the Joneses may not
have a case for TIED against
the Smiths. In order to have

a case against the Smiths
the Joneses would have to
prove that the Smiths intended
to cause severe emotional distress
directly to Grandma & Jerry. The
emotional distress cannot be
transferred from Mr. Jones. The
Smiths would have negative
defense against the Joneses because
the element of intent was not
there so the Joneses would
probably lose the case. The
Smiths would have a trespass

to land case against the police and ambulance crew because they intended to enter the Smiths land & they did enter their land. The police & ambulance crew could use authority of law defense & the Smiths would lose the case. The Smiths could also use trespass of land against the tow truck driver but they would again probably lose because by calling the

tow truck the gate implied
consent to enter their land
as this is the custom when
one wants a vehicle towed.

The doctor who took Jones to
surgery could be charged with
battery for taking Jones to
surgery while he was unconscious
(unless he obtained consent from
family) because the surgeon
intended to make contact, did
make contact & the contact
could be considered offensive. It

center cancer stories. The same
stands true for ^(possibly) treating the
anorexycm while he was asleep.
If the doctor treated the
anorexycm without consent he
could be charged with battery
as he intended to make contact
did make contact & without
consent that contact may be
considered harmful or offensive. The
doctor would probably use the
defense of implied consent. With
implied consent in emergencies

situations there is no battery if the person is unable to consent (Mr Jones was unconscious so he couldn't consent), if it is a life or death situation (both health problems, the bullet & axe wound are life threatening, a reasonable person would want the treatment (Mr Jones would probably rather have the surgery than die) and there is no reason to think the person would not want the

surgery (based on information given there is no indication that Mr Jones would refuse surgery). With the information given the surgeon's defense of implied consent would prevail and there would be no battery.

Answers in this test were based on the presumption that the Smiths ^{owned} ~~had~~ their driveway & the Jordans owned the other driveway.

By striking & damaging the

These car the Smiths
could be charged with
trespass to chattels. They
could try to use defense
of land defense but would
probably not work because
of the aggressive nature of
the trespass and it would
definitely cause a break
of the peace.

~~✓✓✓~~ Smith hit car = Battery? Assault?

O O O fi grandma; not kids because easy escape

~~✓✓~~ each hear other prepare gun = assault?

~~✓✓~~ O Smith raise arm = assault

~~✓✓~~ O Jones = battery, self-defense

~~✓✓~~ O Smith = battery, self-defense

~~✓✓✓~~ both = excessive force (retaliation & vengeance) = batteries, assaults, self-def

~~✓✓✓~~ O center / day

~~✓✓~~ O if

O O O James t to land (Smith's house)

O O O defense of others, self-defense

O O O overstay? = another t to land; still self-D

~~✓✓~~ O IIED Grandma? Jenny? Vomit, J's nightmares

~~✓✓~~ O know present? No transferred intent (saw & knew Jenny; maybe not G)

O O O

O O O police, EMT - IF t to land; def = authority of law

O O O tow truck—IF t to land, def = emergency

O O O

~~✓✓✓~~ O Jones surgery = battery; def = emergency

~~✓✓✓~~ O Jones aneurysm surgery = battery, def of emergency "in the course of"

O O O Beneficial outcome for Jones only goes to amount of damages

O O O

~~✓✓✓~~ O O overall logic (min)