



Featuring winning cases from the
New Jersey State Bar Foundation's

Law Adventure

2022 COMPETITION

Mock Trial EXERCISES

FOR GRADES 7-8

Preface



IN 1995–96 THE NEW JERSEY STATE BAR FOUNDATION LAUNCHED A UNIQUE, LAW-RELATED EDUCATION PROGRAM FOR MIDDLE SCHOOL STUDENTS—THE LAW ADVENTURE COMPETITION.

Students in grades seven and eight and their teachers are invited to create original mock trial cases. Each year the Foundation provides themes for cases. The cases are judged on the basis of originality and educational value in teaching students about their legal rights and responsibilities. Winners are selected in each grade level. The trials are then conducted before student audiences at special Law Adventure programs in the spring. The seventh- and eighth-grade audiences serve as juries.

Following are the winning cases from the Law Adventure 2022 Competition. The themes for the 2022 contest were (1) Second Amendment Issues or (2) Technological Invasion of Privacy.

The cases may be used as a guide to prepare a submission to the Law Adventure Competition or as a classroom exercise. Please note that some of the cases may contain “laws” created by the students for the purpose of this competition, which may not necessarily be actual laws. Since these mock trials were written by children, the content should not be considered technically accurate.

These materials are produced for educational purposes only. All characters, names, events and circumstances are fictitious. No resemblance or reference to real individuals, events or circumstances is intended or should be inferred.

This project is made possible by funding from the IOLTA Fund of the Bar of New Jersey.

Law Adventure has won recognition in the Associations Advance America Awards program, a national competition sponsored by the American Society of Association Executives in Washington, D.C. This prestigious award recognized innovative projects that advance American society in education, skills training, community service and citizenship.

If you would like to participate in the Law Adventure Competition, please call 732-937-7519 or e-mail sboro@njsbf.org.

For information about other free, law-related education services available from the New Jersey State Bar Foundation, visit us online at njsbf.org.

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Unlicensed: The State of New Jersey v. Maria Smith

SCHOOL

Harrington Park
Harrington Park
Grade 7
First Place

TEACHER

Joan Dever

STUDENTS

Aaron Choi
Henry English
Jason Goodman

Ellie Kim
Emilia Sánchez



FACTS

Just past 2 a.m. in the early morning hours of March 4, 2020, a burglar broke into the home of the Smiths. The Smiths lived in the small town of Goodman Township, New Jersey. Mr. John Smith was away on a business trip, leaving Mrs. Maria Smith and her two young children at home.

Mrs. Smith had woken up to use the bathroom while her two kids were sleeping in an adjacent bedroom. Suddenly, she heard a door being opened and closed with footsteps in the kitchen downstairs. Realizing that there was an intruder in her home, she rushed to her and her husband's room. Mrs. Smith opened the safe in her husband's closet and grabbed the firearm located there. However, the firearm was licensed to her husband, Mr. Smith. She grabbed it anyway to use for defense, and she loaded the firearm, slowly opened the door to the hallway and pointed it across. She then heard footsteps climbing up the stairs. She shouted multiple warnings at the intruder, but the footsteps continued. She then shot the firearm two times, pointed at the ceiling as a final warning. The burglar immediately turned and fled the house. Mrs. Smith's kids, who had woken up due to the noise, were terrified, but she told her kids to stay in the room and chased the burglar outside.

Once she was outside, the burglar was gone. However, she continued to wave the firearm and threatened to shoot should the burglar come back. Hearing the two previous gunshots, Mrs. Jennifer Williams, a neighbor who lived across the street from the Smiths' home, observed Mrs. Smith waving the gun outside in a threatening manner. Mrs. Williams proceeded to call the cops. Officer

Robert Brown and another police officer arrived at the scene just a few minutes later. Officer Brown asked Mrs. Smith to present her permit and identification card for the firearm. Mrs. Smith explained to Officer Brown that her husband was the only licensed owner of the gun and he was not home. Officer Brown then arrested Mrs. Smith for unlawful possession of a firearm.

ISSUE

Is Mrs. Smith, who used her husband's licensed and registered gun to defend her life and property, guilty of unlawful possession of a firearm, a third degree crime punishable by three to five years in prison?

WITNESSES

For the Prosecution

Officer Robert Brown
Jennifer Karen Williams

For the Defense

Maria Smith
David Johnson

WITNESS STATEMENTS

Testimony of Officer Robert Brown

I am Officer Robert Brown. It was in the early hours of March 4, 2020, when dispatch received a call from Jennifer Williams. Ms. Williams sounded frightened, had called to explain that she had heard two gunshots coming from her neighbor's home. Ms. Williams claimed that her neighbor, Maria Smith, was pointing a gun to the street in a threatening manner.

On the way to the scene, dispatch received a call from Mrs. Smith, stating that someone had broken into her home. Myself and another officer arrived at Ms. Williams'

house to question her about what she had witnessed. As the other police officer continued to question Ms. Williams, I walked over to Mrs. Smith's home to find out what had caused the ruckus.

When I rang her doorbell, Mrs. Smith seemed to have a troubled look on her face as she opened the door and let me into her living room, where I questioned her. I asked her why she had fired the shots, and she explained to me that there was a burglar in her house, and she used the gun for her and her children's protection. When I asked her whose gun it was, she explained to me that the gun she had fired was licensed to her husband who was on a work trip at the moment. Therefore, she had committed a crime by using a gun that wasn't hers. I immediately arrested her for the unlawful use of a handgun.

Testimony of Jennifer Karen Williams

Early in the morning, on March 4, 2020, I was awoken by two gunshots. I was confused and very scared. I got out of bed and looked out the window and I quickly realized that the gunshots came from the home of the Smiths. I then witnessed a dark figure running out the front door of the Smiths' house. A few seconds later, I saw Mrs. Smith stumble onto the porch with a gun in hand. She waved the gun around carelessly, endangering the houses nearby. I felt threatened that she might shoot her gun given that she seemed very agitated. She did not seem to care about any proper safety measures. In truth, I had always avoided the Smiths as I always thought they were very strange people, and this was simply proving that.

I ran away from the window and called

the police. Several minutes later, the police arrived and I told them what had happened. One of the officers walked over to the Smiths' home and questioned Mrs. Smith. After half an hour, the police officer exited the house with Mrs. Smith in custody.

The next morning, I learned that the gun was not even licensed to her. I was not surprised, seeing as she had waved the gun around, putting all the surrounding houses at risk. She clearly did not take the proper safety measures, she was erratic and excited and she looked very ready to shoot! Mrs. Smith endangered myself as well as everyone in the surrounding homes. I have lived in this town for 42 years, and I have never experienced anything like this. A gun cannot just be picked up and used by anyone. There are laws that prohibit that for the safety of the community.

Testimony of Maria Smith

I am Maria Smith. On March 4, 2020, I woke up to use the bathroom. As I was walking back to my room, I heard the sound of a door opening and closing and footsteps downstairs. It was around 2 a.m., so my children were fast asleep in their room adjacent to mine. I heard clanging but when the footsteps started up my stairs, I realized that my kids and I were in trouble. I got out of bed and grabbed the gun located in my husband's closet. While the firearm was registered to my husband, I am very well trained in using one. I have been going to a shooting range with my husband for several years, so I consider myself apt in using a gun.

There was an intruder that started going up the stairs. I was scared for my life and my children's. I then opened my bedroom door quietly and armed the gun. At that time, I

raised my gun and pointed down the hallway, and to the stairs. I told my kids to stay in their rooms and I shouted multiple warnings at the burglar threatening to shoot. However, the footsteps continued and I shot two warning shots at the ceiling. I told my kids, who were now frightened beyond doubt to stay in their room. The intruder hurried down and scurried away back downstairs.

I followed the intruder down and outside the front door. At this point, I was still alert and was shouting warnings at the burglar to keep them from coming back.

Approximately five minutes later, I went back inside my home and called the police. When the officer arrived, I told him what had happened. Before even starting to look for the burglar, the man who threatened my family, the officer asked me for gun licensing. I told them that the gun was licensed to my husband, but that I was well trained. I then told them that my life and the lives of my children had been in jeopardy. Then, despite the fact that I was well trained in using the gun and had used it in a safe manner, the officer arrested me! This is a travesty of justice! My actions were necessary and justified due to the risk this situation presented. I did not ask to be burglarized in the middle of the night, I was forced to do what I did to protect myself and my children.

Testimony of David Johnson

I am David Johnson, and I work at the shooting range in Goodman Township. I have worked at this range for 21 years. For several years, Mr. Smith and his wife have been regulars here. Mr. Smith and Mrs. Smith are good friends of mine and are both avid shooters. Mrs. Smith found shooting as

a fun activity on the weekends with her husband. From time to time, I gave Mrs. Smith lessons on the range on how to properly handle a firearm, and the laws behind them. I taught her how to use the safety mechanisms on various guns, especially pistols, how to load and chamber a live round, and most importantly the legal aspects.

Over the years, Mrs. Smith has understood the responsibility of handling a gun and always made sure to use it safely. Mrs. and Mr. Smith have long discussed getting Mrs. Smith a license. However, due to the complexity and logistics of getting one, they decided against it. I strongly believe she is well trained and capable of handling guns, so I see no issue in her defending herself with the gun. I personally taught Mrs. Smith about gun usage and gun usage laws. She knew everything that she needed to know to use a gun safely. I don't see why she should be punished when she was simply defending herself, her children and her property and not endangering anyone else. Mrs. Smith should not be at fault for trying to protect herself when she and her kids were in danger.

INSTRUCTIONS

The prosecution must demonstrate beyond a reasonable doubt that Mrs. Maria Smith is guilty of unlawful use of a firearm as she used a gun that was not licensed or registered in her name.

SUB-ISSUES

1. Were Mrs. Smith's actions justified due to the impending danger?
2. Was Mrs. Smith capable of handling a firearm safely?

3. Should Mrs. Smith not have fired the warning shots?
4. Should Mrs. Smith have accessed the gun in the first place?
5. Was Mrs. Smith endangering anyone?

CONCEPTS

1. Burden of proof: beyond a reasonable doubt.
2. Expert testimony.
3. Totality of circumstances.
4. Defense of necessity (justification).

LAW

1. TITLE 2C–THE NEW JERSEY CODE OF CRIMINAL JUSTICE
2C:39-4. Possession of weapons for unlawful purposes.
 - a. Firearms. (1) Any person who has in his possession any firearm with a purpose to use it unlawfully against the person or property of another is guilty of a crime of the second degree.
 - (2) Any person who possesses, receives or transfers a community gun is guilty of a crime of the second degree and shall be sentenced to a term of imprisonment by the court. The term of imprisonment shall include the imposition of a minimum term. The minimum term shall be fixed at one-half of the sentence imposed by the court or three years, whichever is greater and during which the defendant shall be ineligible for parole. As used in this paragraph, “community gun” means a firearm that is transferred among,

between or within any association of two or more persons who, while possessing that firearm, engage in criminal activity or use it unlawfully against the person or property of another.

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The Forgotten Gun: The State of N.J. v. Michael A. Davis

SCHOOL

Harrington Park
Harrington Park
Grade 7
Second Place



TEACHER

Joan Dever

STUDENTS

Caleb Ahn
Diya Damwani
Yuri Lee

Jungwoo Nam
Paddy O'Neil
Gianna Park

FACTS

On November 20, 2020, Mr. Michael A. Davis was driving home from work to eat lunch when he was called by the school nurse, Anastasia Koblova, at Holtahontus Elementary. Nurse Anastasia Koblova contacted Mr. Davis and informed him that his daughter, Olivia Davis, had sustained a physical injury. Olivia fell during recess and injured her knee. Although the injury was not serious, the wound bled profusely, and she had become distraught at the sight of all the blood. Mr. Davis quickly drove over to his daughter's school intending to console her while she experienced what seemed to be a panic attack. He wanted to make sure she was okay.

Mr. Davis arrived at the school, signed in, and went directly to the nurse's office. After calming his daughter down and the nurse alleviating most of her pain, he felt it was best to bring his daughter home. As Mr. Davis was exiting the building, a nearby security guard spotted a gun hanging out of his waistband. The security guard stopped him at the door. Mr. Davis was perplexed as to why he was being detained, but he did not resist and surrendered to the security guard.

The security guard, Tyler Lian, cautioned Mr. Davis to put his hands in the air as he reached in and carefully removed the gun from Mr. Davis' waist band. At this time, Mr. Davis was explaining to the guard that the handgun was licensed and registered. In his panic to get to his daughter, he simply forgot that he was carrying the gun. The secretary was radioed and instructed to contact the local police department. Officer Sargon Thompson arrived at the school, quickly arresting Mr. Davis, and later charging him with possession of a firearm on school grounds.

ISSUE

Is Mr. Michael A. Davis, who was licensed to carry a concealed weapon, guilty of unlawful possession of a firearm?

WITNESSES

For the Prosecution

Tyler M. Lian

Officer Sargon Thompson

For the Defense

Michael A. Davis

Anastasia G. Koblova

WITNESS STATEMENTS

Testimony of Tyler M. Lian

My name is Tyler M. Lian, and I have been employed as a security guard at Holtahontus Elementary School. This is my seventh year working at this school. On November 20, 2020, I was on duty at the main entrance to the school building. At around 12:31 p.m., I admitted Mr. Michael Davis into the building and checked his identification. He signed the logbook and indicated that he was headed towards the nurse's office. At the time when I had admitted the man into the school building, I did not see a gun, but I assume it was there. If I had known he had it, I wouldn't have let him in.

Approximately 15 minutes later, Mr. Davis and his daughter returned to the main entrance with plans of exiting the building. I didn't know the man well as many parents come in and out of the school.

As Mr. Davis reached for the door, I had a quick view of a gun holstered to the middle of his back. I asked him to put his hands in the air. I took his gun and directed him to sit on a nearby bench. I then radioed the main office for assistance with his daughter and also made a request that the police be called

immediately. Mr. Davis was cooperative but kept insisting that the firearm was legally licensed and he “forgot” to remove the gun and secure it in his car.

The police arrived quickly and took control of the situation. I informed the officer that Mr. Davis had been disarmed and surrendered peacefully. It was a frightening incident. I had never dealt with a situation like this. Anyone who possesses a license to carry a concealed weapon should have known better. Mr. Davis’ actions were reckless and unlawful.

Testimony of Officer Sargon Thompson

I am Officer Sargon Thompson, and I have been an officer in the town of Holtahontus for 12 years.

It was about 12:50 p.m. on November 20, 2020, when the 911 dispatcher received a call and they said code 10-32. I was on my break and eating donuts and drinking coffee in a nearby parking lot when the call came through. I was told there was an emergency situation at the elementary school as a man had entered the building with a firearm. I quickly drove in my police car to the Holtahontus School.

When I arrived at the scene, I witnessed a man sitting on the bench close to the main entrance. A security guard was standing nearby with a gun in his hands. When I came up to the security guard, he handed me the man’s gun and explained the situation. I noticed that a visibly distressed child was standing several feet away from the bench in the company of a school official. I affirmed that the man was the father of this child.

Mr. Davis was pleading his case, stating that he was licensed and this was just a mix-up. He stated that the situation was

frightening his child.

I had sympathy for the young girl, but I was left with no choice. I read Mr. Davis his rights and charged him with illegal possession of a gun in a school zone. He had a firearm inside a school building and no explanation can make that go away.

Testimony of Michael A. Davis

On November 20, 2020, at approximately 12:19 p.m., I was driving from work to home when I got a call from my daughter’s school. The school nurse informed me that my daughter, Olivia Davis, had gotten hurt at recess and had sustained an injury that caused excessive bleeding. I was upset to hear that my daughter was hurt and drove directly to the school.

I got to the school, signed in and dashed to the nurse’s office. As expected, my daughter was very upset. She was not severely injured, but had worked herself into quite a panic. The nurse recommended that it might be best to take Olivia home for the remainder of the day. We gathered her things and headed for the exit.

As I was opening the door to leave the building, the security guard shouted for me to STOP! I did not know what the issue was, but I did as I was told. The security guard approached me, told me to put my hands in the air and he slowly removed my gun from my holster. I forgot that I had my gun with me! In the panic to get to my daughter, I failed to secure the gun in my car.

This is all just a misunderstanding. I posed no threat to the school or any individual in the school. Concealed carry is legal with a NJ Carry Permit (PCH) which I possess and carry a firearm while traveling to and from work. Bewildered by this, I peacefully gave

him my gun and complied with all his instructions. When I was informed that he had called the police, I did not argue. When the police officer arrived, I tried to explain to him that I possessed a legal license to carry a handgun, but he would not listen to reason. The police officer then told me that I would be taken into custody for illegal possession of a firearm on school grounds. I was arrested at the scene while my daughter was watching. This was an honest mistake. My life and liberty are at stake. Do not take me away from my daughter.

Testimony of Anastasia G. Koblova

I've been a nurse at Holtahontis Elementary for 11 years. I graduated from Rice University and have been working as a nurse for over 20 years.

It was just after noon on November 20, 2020, when Olivia Davis came into my office, with a knee injury that was bleeding. The injury did not seem too serious, but Olivia was distraught at the sight of her wound and the blood. As is school policy, I tended to the child and then called her father to inform him about the accident. I told Mr. Davis that Olivia was physically okay, but had worked herself into a bit of a panicked state. Mr. Davis told us that he was on the road and would come directly to the school. Mr. Davis is a single parent and is a wonderful father to Olivia.

Mr. Davis arrived at my office and we decided it was best if he took Olivia home. It was moments later when I realized Mr. Davis had been stopped by security for possessing a gun. Personally, his actions showed me that he made an honest mistake. I don't believe he planned to harm anyone. His child was injured and in a panic he rushed to the

school as any good father would and simply forgot about the weapon. There was no malicious intent and his life, and the life of his daughter, should not be destroyed over a lapse in judgment. He is not a criminal, he is a man that made a mistake.

INSTRUCTIONS

The prosecution must demonstrate beyond a reasonable doubt that Mr. Michael A. Davis is guilty of unlawful possession of a gun in a school zone.

SUB-ISSUES

1. As a person who possessed an NJ Carry Permit, should Mr. Davis have demonstrated better judgment?
2. Did Mr. Davis have any malicious intent when he brought the gun into the school?
3. Was Olivia Davis in a serious or dire situation?
4. Was it necessary for the security guard to have called the police?

CONCEPTS

1. Burden of proof: beyond reasonable doubt.
2. Credibility of the witnesses.
3. Totality of the circumstances.
4. Gun-free school zone.
5. NJ Carry Permit (PCH).

LAW

1. 2C:39-5 Unlawful possession of weapons.
 - b. Handguns. Any person who knowingly has in his possession any handgun, including any antique handgun, without first having obtained a permit to carry the same

as provided in N.J.S.2C:58-4, is guilty of a crime of the third degree if the handgun is in the nature of an air gun, spring gun or pistol or other weapon of a similar nature in which the propelling force is a spring, elastic band, carbon dioxide, compressed or other gas or vapor, air or compressed air, or is ignited by compressed air, and ejecting a bullet or missile smaller than three-eighths of an inch in diameter, with sufficient force to injure a person. Otherwise it is a crime of the second degree.

- d. Other weapons. Any person who knowingly has in his possession any other weapon under circumstances not manifestly appropriate for such lawful uses as it may have is guilty of a crime of the fourth degree.
- e. Firearms or other weapons in educational institutions.
 - (1) Any person who knowingly has in his possession any firearm in or upon any part of the buildings or grounds of any school, college, university or other educational institution, without the written authorization of the governing officer of the institution, is guilty of a crime of the third degree, irrespective of whether he possesses a valid permit to carry the firearm or a valid firearms purchaser identification card.

you-can-carry-a-gun-without-a-permit-in-nj/

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Johnson v. Pipper: Laundry Quandary

SCHOOL

Bloomfield Middle
Bloomfield
Grade 7
Honorable Mention



TEACHER

Esther Innis

STUDENTS

Jackson Calleros
Leila Colon
Briara Durant
River Estrada

Pierre Mawas
Joshua Omoyi
Jayla Toussaint
Wynter Whitt

FACTS

On July 15, Billy Jean King was reviewing security footage from her home cameras on Ryder Ave. A raccoon had found itself on one of her cameras and had somehow knocked the camera out of place. In the middle of the action, the raccoon was clearly seen face upside down hanging from the camera. This jolt moved the camera from its regular position of taping Billy Jean's driveway to taping her neighbor, MaryAnn's, side yard.

This footage of the raccoon so entertained Billy Jean that she emailed it to MaryAnn. MaryAnn doesn't currently have the internet at her house, so she regularly goes to the public library to check her emails. That same night, MaryAnn was at the library and saw the email from Billy Jean. She watched the video and began to laugh so loudly that she caught the attention of William Roosevelt who was sitting at the computer next to hers. He asked what was so funny and MaryAnn showed William Roosevelt the video and shared it with him. After MaryAnn went home, William Roosevelt saw his friend Gloria and shared the video with her.

Later on, Gloria decided to post the hilarious video on the town website for others to enjoy. The video, however, started gaining attraction for the wrong reason. People were noticing a suspicious part of the video where people were seen dropping duffle bags off and others leaving with neatly wrapped packages from MaryAnn's house. The traffic of people flowed throughout the day and often into the evenings. One user said, "Isn't that just the home laundry service on Ryder Ave?" Some users agreed but others continued their speculation.

Because of the video shared online by Gloria Pipper, the people of Ryverton, OH

begin gossiping about the business run by MaryAnn Johnson, which caused some to stop using her service. Eventually MaryAnn had to close up shop. MaryAnn filed suit against Gloria for the technological invasion of her privacy by posting the video which she claims caused her to lose her business.

ISSUE

Did Gloria Pipper technologically invade the privacy of MaryAnn Johnson by posting the camera footage of her home, causing her to lose business?

WITNESSES

For the Plaintiff

MaryAnn Johnson
Libby Ryan

For the Defense

Gloria Pipper
Eleanor Evergreen

WITNESS STATEMENTS

Testimony of MaryAnn Johnson

My name is MaryAnn Johnson. I started a laundry business eight months ago and it was off to an amazing start. A lot of people came to my business and I was making at least \$5,000 a month. I was ecstatic to see such success from my business. On July 15 I was at the library, checking my emails as usual. I received an email from my neighbor Billy Jean. She had sent me a video of her security footage.

At first, I was confused, but as I kept watching I saw a raccoon dangling upside down from the camera. This was so hilarious, it made me start laughing uncontrollably. William Roosevelt was sitting next to me and overheard my laughing, and asked to see the

video, so I shared it with him.

About a week later, Billy Jean came knocking at my front door. She told me that there was a viral video of suspicious activity taking place on my property. The video had made its way to the town website and loads of people were commenting on it. I was totally shocked and confused as to why people thought an innocent laundry business was so suspicious. Billy Jean and I investigated a bit more and we found that Ms. Pipper had gotten the video from William Roosevelt. The video was soon posted on the town website and it looked like I was “laundering” money or something.

After that video was posted, people started spreading these horrible rumors, stopped using my business, and I was losing money. I had to fire all of my employees and completely shut this business down. All of my hard work has been flushed down the drain all because Ms. Pipper took it upon herself to invade my privacy and post the video without consent.

Testimony of Libby Ryan

I’m Libby Ryan. I am the town librarian and I am in charge of the town website. I have had to speak to Gloria on several occasions about being overly into other patrons’ business. She has also been accused of posting false issues about other people on social media. Now she is posting a video of someone else’s business and the entire town seems to have taken her bait again. Gloria likes to stir the pot and get other people all wound up about silly things they ordinarily wouldn’t pay any attention to. We went from laughing at an adorable raccoon to questioning the business being done at MaryAnn’s. I’ve had to kick Gloria out of the

library on more than one occasion and she was once banned for four months due to similar circumstances. It doesn’t surprise me that Gloria has inserted herself into another person’s life again. She must live a boring life to do such a thing to MaryAnn, but it wouldn’t be the first time.

Testimony of Gloria Pipper

My name is Gloria Pipper. During my usual visit to the library Mr. Roosevelt started laughing while watching a video with Ms. Johnson. They were both howling very obnoxiously, so of course, I was curious to see what was so funny. Once I was finished with what I had been doing, I went over and asked William Roosevelt to share the video with me. He agreed to share it with me and that raccoon was adorable.

Later that day, I decided to post the video so other people could see the funny part with the raccoon hanging onto the camera. More and more people watched the video, but soon the comments were focused on a different part. The comments were fixed on a suspicious part where people were seen bringing big duffle bags to MaryAnn’s house, while others were picking up packages. I hadn’t noticed this before and it was not my intention of this coming up in the comments. I shouldn’t be blamed for what other people say. It is not fair for Ms. Johnson to blame me for her own problems when I was oblivious to what was going on.

Testimony of Eleanor Evergreen

My name is Eleanor Evergreen and I am an ex-employee for Ms. Johnson’s laundry business. I worked for Ms. Johnson for a while until I left her laundry business. Working with Ms. Johnson was definitely an

experience. I thought leaving would help her see that things needed to change. She was trying her best to maintain a stable business, but it was not the most organized. The problems included complaints about missing clothes and customers not getting their clothes back on the estimated dates. Employees complained about getting paid late and being overworked. She didn't advertise much so not many people knew about the business. I have always tried to help her out as much as I could, but there wasn't much I could do. It almost seemed as if she did not care about the business until now. The issues with Ms. Johnson and Gloria have definitely been blown out of proportion. I believe it is unfair to blame Gloria for her decrease in business when Ms. Johnson always had problems of her own making in the business. Ms. Pipper made an honest mistake and Ms. Johnson took it too far to cover up for her own financial problems.

INSTRUCTIONS

The plaintiff must prove by a preponderance of the evidence that Gloria Pipper did in fact technologically invade MaryAnn Johnson's privacy by posting the security footage video online, which caused her to lose her business.

SUB-ISSUES

1. Was the decrease in MaryAnn Johnson's business because of the accusations caused by Gloria Pipper's post?
2. Was the reason Gloria Pipper posted the video really because of the raccoon clip?
3. Could Eleanor Evergreen have a biased opinion on the situation due to a bad past with MaryAnn?

CONCEPTS

1. Burden of proof: preponderance of the evidence.
2. Credibility of the witnesses.
3. Right to privacy.
4. Expectation of privacy.

LAWS

1. Fourth Amendment
The CONSENT Act
The CONSENT Act (S. 2639) is designed to be a privacy bill of rights. It would require the Federal Trade Commission to establish basic protections for the customers of online providers like Facebook and Google.

The Chosen Gun: New Jersey v. Everton

SCHOOL

Bloomfield Middle
Bloomfield
Grade 7
Honorable Mention



TEACHER

Esther Innis

STUDENTS

Jasmine Alvarez
Cameron Arana
Vanessa Busanic
Tatum Cheplic
Victoria Cruz
Nathaniel Fairley
Kaylee Kowbe

Indira Lopez
Cooper Manning
Adrian Ordonez
Joseph Payne
Jaydon Spencer
Alexander Zurlo

FACTS

In 2021, New Jersey passed the One Gun, One Group law* that allowed one person in any house of worship to carry a handgun during services for security purposes. Harold Stone was that person for St. Gabriel's Church, which he had attended most of his adult life. One Saturday night he didn't feel well and called his friend, James Everton, and asked him to bring his gun instead. James attended the service as he did every Sunday, but that day he had his pistol in his jacket since Harold was ill and couldn't make it.

During the service, an unknown man walked into the church and started down the aisle. After his first few steps, he started to call out a woman's name, all the while looking around at the churchgoers. The congregation was aggravated by this rude stranger. He was shushed by several in the pews. The man seemed to get more and more agitated.

James, standing in the back as Harold did, started to track the unknown man as he continued down the aisle. After a few more moments, the visitor pulled a pistol out from his pocket but before he could pull the trigger, James shot the gun out of his hand. A piece of the bullet ricocheted off the gun and hit a parishioner in his leg. Everyone began to panic except for a choir member that called 911 and James who rushed to the unknown man to make sure he didn't escape. James stood over him until the police arrived. The wounded parishioner was bleeding and someone helped him by applying pressure until the ambulance got there.

When the police arrived they found James standing over the stranger. The paramedics rushed to care for the gunshot victim and,

after interrogating members of the church, the police brought both men into custody. The police were unsure why either man had a gun in church and needed to find out why. Later James was arrested and the state is looking to remove his gun permanently.

ISSUE

Should James Everton have his gun license revoked because of the events in the St. Gabriel's Church on that Sunday morning?

WITNESSES

Witness for the Prosecution

Officer George Lawson
Evelyn Heart

Witness for the Defense

James Everton
Andre Grant

WITNESS STATEMENTS

Testimony of Officer George Lawson

My name is George Lawson. I was dispatched after the 911 call came in and was the first to arrive at the scene. When I got to the church, I saw one man on the floor and another standing over him with a gun. The first thing I did was get the guy with the gun into handcuffs. Several of the parishioners yelled that I had the wrong man, but he was the one holding the gun, so I focused my efforts on him. I mean, who brings a gun to church? Next, I also handcuffed the other guy and sat him next to Mr. Everton. A young woman a few pews back pointed out another gun which was laying on the floor. As I carefully picked it up, the ambulance

**This law is fictitious, created for the purposes of the Law Adventure Competition.*

arrived to care for the wounded man.

While trying to get the sequence of events down, many of the churchgoers assured me that James was the hero. They all tried to do it at the same time. I settled the group down and listened to their stories one at a time. After I listened to their stories, the two men were then taken downtown to be questioned.

As I was driving the men downtown, a question kept running through my mind, how were these churchgoers so calm about a man having a gun in church? I know a new law allows a church to designate a person to carry a gun, but my own church would never allow such a thing.

While I questioned James, he told me that his friend Harold was the actual one that was supposed to have the gun, but he was sick and had asked James to take his place. I still don't think ANYONE should have a gun in church.

Testimony of Evelyn Heart

My name is Evelyn Heart, and I was in the choir at St. Gabriel's Church during the shooting. That morning, it was calm and quiet and we were getting ready to read a chapter of the Bible when someone walked into the church. We all thought the man was just late, it wasn't uncommon for someone to walk in at this time. After a brief pause, the man yelled out a woman's name and after getting no response, he pulled a gun out of his pocket. I saw James suddenly get up and pull out his gun. He pointed it at the other man. Once I saw this, I ran to call 911. I was never even comfortable with Harold having a gun in church, much less James. I heard the shot go off and someone yelling.

Once I got off the phone, I saw James

standing over the other man with his gun still drawn, and the wounded man on the floor a few yards away. This should never have happened in a church. I never liked the idea of anyone in the church carrying a gun and this just proves my point. We are supposed to be safe here, how can we be safe if someone has a gun? James wasn't even supposed to be the one carrying the gun, Harold was the one that had been chosen to do that. Poor Andre came to church that morning and ended up in the hospital. After what happened, I will never step foot in that church again. Wouldn't everyone be safe if NO ONE had a gun?

Testimony of James Everton

My name is James Everton and I am a worshiper at St. Gabriel's Church. Recently, my friend who usually brings his gun to church, Harold Stone, called me and informed me he was sick and would miss Sunday morning mass. He insisted that I bring my gun just in case anything happened. I agreed to do it—the safety of the church depended on it. On that bright Sunday morning, I arrived at St. Gabriel's Church and stood guard in the corner of the church like Harold did when he was there. I had my pistol tucked beneath my jacket, ready to pull it out if I needed, even though I doubted that there would be a reason to use it.

In the middle of mass, a suspicious man walked into the church and started walking down the aisle. I tracked him as he walked. He began yelling out a woman's name and was shushed by members of the congregation. He seemed agitated. I took a few steps out of the corner I was standing in. The man then reached into his pocket and

pulled out a pistol. The second I saw it, I came out of the corner and pulled out my pistol. I aimed and shot the gun out of the other man's hand. The gun slid across the floor away from him, which was good since he couldn't grab it and hurt anybody. I heard a yelp and saw Andre fall to the floor, he had been hit with a piece of the bullet that ricocheted. Somebody ran over to care for Andre, and I ran to the shooter guy to prevent him from running off. I was not going to let him get away with this.

A few minutes later, I heard sirens. Police officers and EMTs rushed into the church. The EMTs took the wounded man to the hospital. A police officer came over to me and the shooter, and put handcuffs on ME! I was very confused as to what was happening. Members of the congregation yelled at the cop that he had the wrong man and a young woman pointed out the shooter's gun to the officer. To my relief, the other guy was also put into handcuffs. A few other police officers came toward the shooter and me and escorted us out of the building and to the police station downtown for questioning. During questioning, I tried to explain that Harold had been sick so I went in to take his place. I was only doing my job and protecting the people of the church. I don't understand why I was taken into custody instead of only the shooter. I think I am the hero of this scenario, because if not for me lots of other people could have gotten hurt.

Testimony of Andre Grant

My name is Andre Grant and I am a member of St. Gabriel's Church. My Sunday morning started pretty normally. I woke up, had my breakfast, and got dressed for the morning service. I drove to the church and I

arrived after the service had already begun. I just sat down and joined everyone. Maybe half an hour later, a very weird-looking man walked in, dressed all in black and looking like he was searching for someone. After a while, he seemed to get impatient and pulled out his gun. Almost immediately I heard a shot, it came from the gun of a man who had been standing in the back. At the time, I didn't know who he was but I sure am glad that he was there. He acted quickly and shot the gun out of that other man's hand. Then it happened, at first, I was in shock. I couldn't believe it. I got hit by a piece of the bullet! The last thing I remember before I blacked out was James being put in handcuffs. I don't understand why they put him in handcuffs, who knows what would have happened if James hadn't been there, things would probably be much worse. James was our lucky charm that morning, if he wasn't there with his gun, we wouldn't have had any way to protect ourselves. People would have been killed. James doesn't deserve to have his gun taken away, he should be getting a medal for protecting us.

INSTRUCTIONS

The prosecution must prove beyond a reasonable doubt that James Everton unlawfully carried a concealed weapon with him during Sunday morning services at the St. Gabriel's Church and not only should he be found guilty of discharging his gun in the church but also that his ownership of the gun should be taken away.

SUB-ISSUES

1. Does the fact that James saved the parishioners help his case?
2. Should James have had his gun in the

church that morning?

3. Does the fact that a bullet fragment hit a parishioner hurt James's case?

CONCEPTS

1. Burden of Proof: beyond a reasonable doubt.
2. Second Amendment rights.
3. Credibility of the witnesses.
4. Reasonableness of actions taken.

LAWS

1. NJ LAW—Any house of worship may designate one person of its congregation to carry a gun during services for protection—One Gun, One Group—NJ Law 2021 [this law is fictitious].
2. 2nd Amendment

The State of New Jersey v. Emma Nine

SCHOOL

Alexandria Middle
Pittstown
Grade 7
Honorable Mention



TEACHER

Janet Sampson

STUDENTS

Oscar Arrieta
Nathen Bulluck
Aiden Carr
Sadie Erling
Olivia Johnson

Aurora Shaver
Abbie Simpson
Maya Sliver
Julianna Soos

FACTS

Emma Nine is a student at Rowan College of South Jersey. She lives in an apartment on Cornerbrook Road close to campus with two roommates Gunther Gunsalez, a friend, and Shelby Loadsmith, another college student. They have been living together for two years but have known each other for a total of five years. Gunther and Shelby hunt most Friday afternoons at Game Creek Hunting Farms about 30 minutes from their apartment.

Gunther Gunsalez has owned his muzzleloader for seven years and five other hunting firearms, all of which are registered. He has never had any legal issues or run-ins with the police while owning or using these firearms. Shelby and Gunther used only the muzzleloader for hunting on the night of Friday, October 15, 2021. According to friends and family members of Mr. Gunsalez, he has always stored his firearms with proper care, proper procedure and with much caution. Shelby and Gunther have hunting licenses and IDs up-to-date ever since they started hunting. Gunther has hunted for eight years, and Shelby about five and a half years.

Emma Nine is responsible for the weekly grocery shopping for her household and for helping her elderly neighbor Lucinda Acluinda, with her grocery shopping as well. Emma takes Mrs. Acluinda's list from her home to the store using Gunther's 2016 Blue Wrangler Jeep, because Emma does not own a car. Gunther has let Emma use his car for a little under two years.

On October 16, 2021 Emma took the apartment list and Mrs. Acluinda's grocery list to the market as she did every Saturday. Emma parked near a cart return and passed Mr. Glock, a worker from the market. Emma walked into the store and shopped for about

an hour. During that one hour window, Mr. Glock noticed an object in the back right seat of the jeep which he thought resembled a gun of some sort. Mr. Glock reported the object to his manager, who in turn called the police. When Emma returned, the jeep was surrounded by flashing cop cars. Emma was taken into custody that day for unlawful possession and transporting of a firearm.

ISSUE

Is Emma Nine guilty of the unlawful transportation and possession of the weapon found in Gunther Gunsalez's car?

WITNESSES

For the Prosecution

Shelby Loadsmith
Gunther Gunsalez

For the Defense

Lucinda Acluinda
Emma Nine

WITNESS STATEMENTS

Testimony of Shelby Loadsmith

I am Shelby Loadsmith and I am a 24-year-old student at Rowan College of South Jersey. I am a roommate of both Gunther and Emma. We moved in together three years into our friendship after being good friends for around five years so we can all pay the rent. It's a lot easier than college housing.

Gunther and I first met and became friends over our love of the outdoors and hunting. Gunther has been hunting since he was younger and has much experience in the field and I have learned a lot from him. He is very responsible with his weapons and has shown me how to properly store and carry weapons. We hunt together almost every week when

we're able to, mainly on Fridays. We both have our hunting permits and can legally hunt within certain areas as per NJ state hunting laws. I also have identification showing that I am legally able to carry a weapon and I have never been convicted of any crime. The gun that we normally use for hunting is a muzzleloader, which is legal for hunting purposes in New Jersey as well as licensed.

On Friday night, October 15, Gunther and I decided to go for a hunt at the last minute. When we got there, we realized we had underestimated the cold and quickly got back into the jeep to head home. The night we were hunting the temperature had dropped to 15°F. I had stored the gun safely in the backseat and locked it up before Gunther started the car. When we checked the gun before quickly driving away, everything seemed to be normal and safe with the way it was stored in the backseat. Gunther briefly mentioned that he would take the gun out of the car in the morning and I assumed that he did.

The next morning when I woke up, I saw that Emma had taken the jeep for grocery shopping. I didn't think anything of it until the police called telling us to go down to the police department. When we arrived, we were told that Emma had been arrested for illegally possessing and transporting a firearm. Gunther became angry with Emma for not checking the car before taking it as she knew that we went hunting the night before. I was surprised because I had assumed that Emma had woken up Gunther before using his car.

Testimony of Gunther Gunsalez

I am Gunther Gunsalez and I am 22 years old. I have been living in my apartment on

Cornerbrook Road for two years. I moved here a little after high school because I did not have the money to apply for college. I have known Emma for five years and we are very good friends. We haven't had many issues at all. Our relationship together is pretty good, although we can get into some fights sometimes. We both have lived with Shelby for around two years, and I have also known Shelby for three years before she moved in. Shelby and Emma are both college students so living together helps us all to save money. We are all very comfortable with each other and we are very good friends.

I am an avid hunter and I often enter competitive "shooting/hunting" competitions on a regular basis. Ever since I met Shelby we have hunted together at least once a week. Although I have only owned weapons for four years, I have been hunting with my family and my father for eight years. I currently have six registered firearms at my apartment including a muzzleloader (found in the car), two rifles, two shotguns and a Beanfield sniper. I have all my firearms registered, and I am background checked. Every time I want to get a gun, I always talk to my local police department to make sure I meet the requirements. I have all of my identification for my ammunition, and I have no criminal history. When I store my weapons in my car, I always make sure the gun is unloaded, disassembled, and contained in a close and securely fastened case as required by law.

On Friday, October 15, Shelby and I went hunting. It was very chilly outside and I underestimated the cold. It was so cold that Shelby and I barely got any time to hunt. We got back to my jeep and tried to warm up, as Shelby quickly locked my gun and stored it

in the backseat. Before we left, I had Shelby double check the weapon to make sure it was properly stored. When we got home, we were so cold that we rushed inside. I planned to take the gun out of the car later but I fell asleep.

Emma often uses my car to run errands. We have not had many issues while she was sharing it with me because she always asks to use it. The day it happened she didn't ask me, nor did she tell me she was taking my vehicle. Later that day I went to get my coffee and then I saw my car missing. My first thought was that Emma had the car, but I wanted to make sure because she hadn't asked me. I had called Emma on the phone to see if she had taken my car to use it. As I called her for the second time, I realized that she left her phone in the kitchen. I was pretty mad at this point because she never asked me.

Later that day, I received a phone call from the police to come down to the police station. When I got there, I learned that Emma was accused of a crime. I was shocked that she was arrested for illegal possession and transportation of firearms. I feel horrible about this, but I think the whole situation could have been prevented if Emma had asked before using my car.

Testimony of Lucinda Acluinda

My name is Lucinda Acluinda. I am 84 years old and living on Cornerbrook Road, right across the road from sweet Emma Nine. I moved here from Alabama after my retirement. I have been a resident here for 32 years and love and respect all of my neighbors. Neighbors have come and gone but I have not had a problem with any of them. Since I am getting to that age where I

do need help with certain things, and Emma is such a young and fit girl, she does help me out. I have reduced vision in my right eye due to a condition called "amblyopia" so Emma helps me out with some of my daily tasks such as watering my plants, taking my garbage out, and shoveling the snow off my driveway. It has been especially hard for me since the passing of my husband who was a police officer. As a matter of fact, I got a retired police canine named Rudy a year after because it was in my husband's name.

Every week I write out a card of what I need from our local supermarket, and on Saturdays I bring over the money, some chocolate chip cookies and the shopping list to Emma. Just like every other week, on the morning of October 16, I went over to her house with Rudy leading the way. It was about 9 o'clock in the morning when I went over. Anyway, I went to the side of the car with the gas tank on it and saw the garage door slowly opening. Emma walked out waving to me and smiled as I got my money out. We had a nice 10-minute conversation where we talked about how she was borrowing her roommate Gunther's car. I was so thankful for her kind-hearted nature, and so I gave her the cookies that I had baked fresh. She asked me to put them in the backseat, so I did. I did not see anything out of the ordinary, nor did I see any weapon. I closed the door and she gave me a hug. Emma watched me get down to my house and then she got into her car and drove off.

After about three hours had passed, I started getting a bit nervous because Emma never takes this long to shop. Another hour or so passed and I was pacing back and forth in my home. I was surprised when she didn't come home at all and I got a call from the

police station. I was completely shocked. They informed me that Emma had been arrested for possession of a firearm. I was very confused and overwhelmed at the thought of this news. I thought back to the morning when I gave her the cookies and how she told me she was borrowing the car. I remember putting the cookies in the backseat and I know I did not see anything in the backseat of the car! I was bewildered by the thought, and I am sure that she was not possessing anything illegal of the sort.

Testimony of Emma Nine

My name is Emma Nine. I am 20 years old and have been living with Gunther and Shelby for two years now and I've known them for five. We have been living on Cornerbrook Road for about four years. Gunther and I are very good friends and that is one of the main reasons we decided to move in together. Shelby and I are not the best of friends but we make it work because she and Gunther are friends. We all pull our money together to grocery shop and I take Gunther's car on a weekly basis to do the food order. My neighbor Lucinda and I are good friends, and since she's an older lady, I usually get her groceries for her. I also help her out with things like shoveling, watering plants and much more.

I am very much aware that Gunther is a gun owner. He is a very avid hunter and Shelby often goes hunting with him. Gunther usually goes hunting every week on most Fridays. Sometimes he goes late at night and sometimes he goes very early in the morning. He is very responsible with his guns. We have never had any issues where a gun has accidentally been unlocked or left unattended. In the two years that we have

lived together, I have never seen any unattended gun. When I use his car for errands, I never even think to check to make sure there is no gun in the car because I know that Gunther is very responsible with that. I am constantly using his car for everyday things like grocery shopping. Most of the time he tells me he is fine with me using it although sometimes we have had some arguments, but they are never about any firearms.

On October 16, I had taken Gunther's car to run errands for the apartment. Gunther was asleep so I didn't want to bother him by waking him up to ask if I could use his car. Gunther usually doesn't wake up until the afternoon. When I opened the garage door, I saw Mrs. Acluinda standing next to Gunther's jeep. She gave me her grocery list, money and a batch of cookies! We had a wonderful conversation and I told her to put the cookies in the backseat of the car.

When I got to the store, I got a strange look from a local worker, Mr. Glock. I spent about one hour in the store, and when I came out there were at least five police officers standing around my car. When I got close enough, Mr. Glock pointed at me and the police started to walk up to me and got handcuffs out. I was completely shocked to find out that they started talking to me about a gun. I had no such gun possession and I was confused as to what they were talking about. I was arrested and put into the backseat of a police car with flashing lights. I never even got to see the gun they claimed to be in my backseat. When Gunther and Shelby came to the station, Gunther was angry with me for taking the car without asking. They blamed me for taking the weapon without permission, but I think that

it is Gunther who is to blame for not removing the weapon from the car immediately.

INSTRUCTIONS

The prosecution must prove beyond a reasonable doubt that Emma Nine is guilty of the illegal possession and transportation of the firearm found in the car used on October 16.

SUB-ISSUES

1. Should Gunther have told Emma that the muzzleloader was in the car?
2. Did Lucinda's eye condition prevent her from seeing the gun in the back of the car?
3. Should Emma be convicted even though she did not own the weapons or own the car?
4. Should Gunther be held accountable for not taking out his weapon from his car in a timely manner?
5. If Shelby saw Gunther was asleep, should she have taken it upon herself to take the gun out of the car?

CONCEPTS

1. Credibility of the witnesses.
2. Unlawful possession of a weapon.
3. Collective right vs. individual rights.

LAW

1. **The Second Amendment**—A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.
2. **Unlawful possession of a weapon**—If the owner is not there, then it appears the weapon is in the “possession” of the

driver. This would satisfy the requirement for illegal possession of a firearm.

3. **All firearms transported into the State of New Jersey: N.J.S.A. 2C:39-6**—Shall be carried unloaded and contained in a closed and fastened case, gun box, securely tied package, or locked in the trunk of the automobile in which it is being transported, and in the course of travel, shall include only such deviations as are reasonably necessary under the circumstances. The firearm should not be directly accessible from the passenger compartment of the vehicle. If the vehicle does not have a compartment separate from the passenger compartment, the firearm and ammunition must be in a locked container other than the vehicle's glove compartment or console.

State of N.J. v. Tim Frady

SCHOOL

East Amwell Township
Ringoes
Grade 8
First Place



TEACHER

Janet Higgins

STUDENTS

Sebastien Azzi
Lola Burd
Caleigh Cullaton

Juliet Rich
Billy Schott
Stefan Wojciechowski

FACTS

On March 17, 2021, Tim Frady, the quarterback of the NJ Rockets, was walking down the street at 8:00 a.m. for a morning stroll. He lived in a small town near Florham Park. During his walk he felt someone was following him. Sometimes he felt he could see something moving quickly behind him, approaching closer and closer to him. This event repeated itself several times over the next three months. Tim Frady felt he was unprotected and that somebody was stalking him. Although he reported these many incidents to the police, no legal action was taken. Detective Bobby Flatfoot met with Mr. Frady on more than one occasion and concluded that there was no immediate threat.

During their meetings, Tim Frady informed Detective Flatfoot that, although the stalker started out as just an average fan, the situation quickly escalated into much more. The stalker began sending Frady hundreds of social media messages and mail. In addition, Tim Frady began seeing a person repeatedly trying to take photos of him. Mr. Frady even reported that, while filming a video for his social media in his home, he spotted the fan outside his window trying to take photos of him. Frady came home one day to find his home security camera smashed and one of his trophies stolen. However, even after all of these instances, Detective Flatfoot could not take legal action.

During the 21–22 season, Frady suffered several concussions and had lingering symptoms of dizziness and confusion. These symptoms heightened his concerns and fears of the stalker. Frady spoke to his neighbor Nelly and warned her to be careful and

watch out for suspicious behavior near her home. Nelly admitted to seeing a suspicious person in the neighborhood on many occasions.

On March 1 2022, Frady invited his former teammate and childhood friend, Joe Gunner, over to his house to watch some football videos and discuss the possibility of obtaining a gun for protection. During Gunner's visit, Frady talked to Joe about the stalker and the incidents involving them over the past year. Later in the afternoon, Frady offered that Gunner could stay the night and recommend a few types of guns for him to purchase. Gunner had several guns in his car, and brought a few of them into the house to show Frady several options.

Later that night, Tim Frady was about to fall asleep when he heard a crunch outside his house where he had not cleaned a pile of leaves. He then heard running footsteps after the crunch, the footsteps fading away in the distance. Tim Frady went to investigate outside. His vision was slightly blurry and he had a huge headache during this time due to his past injury. Tim Frady went back to bed, but couldn't sleep due to his fear of the stalker keeping him up. He decided to notify the police about this incident and after the police visited the area and looked around, they reassured Frady there was nothing to be worried about. They told him that if he heard or saw something more definite, he should notify them immediately.

At 11:30 p.m., an hour after the visit from the police, Frady heard the same crunching noise from earlier and the footsteps getting closer. Tim Frady rushed out of his house with one of Gunner's weapons. Examining his property, he spotted a shadow in the distance. He could see the figure walking

near the edge of his property and decided to shoot to scare the figure away. The figure, noticing the man with a gun, started to run. Tim Frady fired the gun to scare the intruder but, with his shaky hands and blurred vision, he hit the man in the chest. Nellie Neighbor heard and saw what happened and she called the police and ambulance.

Tim Frady was arrested for possessing a gun without a permit. His defense attorney maintains that Mr. Frady did not own the gun and should not be charged.

ISSUE

Is Tim Frady guilty of illegal gun possession?

WITNESSES

For the Prosecution

Detective Bobby Flatfoot
Joe Gunner

For the Defense

Tim Frady
Nellie Neighbor

WITNESS STATEMENTS

Testimony of Detective Bobby Flatfoot

My name is Bobby Flatfoot and I am 42 years old. I am a detective at the Florham Park Police Department and have been working on the Tim Frady case since the beginning. I first met Tim Frady when I was reporting to a call about a stalker in March of 2021. When I got to the house, Tim told me about how when he was on his daily walk in his neighborhood, he felt he was being followed. I wrote a report on this but since there wasn't any clear evidence, I just moved forward and told him if anything else occurred to give me a call.

It was a while before I received a call, but one day when I was sitting at my desk eating lunch, I received a call from Tim saying he is still being stalked and needs my advice. I headed over to Frady's house and when I got there, he showed me videos of his stalker in the back of his videos, all the things he was sent, and a picture of him walking in front of his house. He was a slim, tall man who Frady did not recognize. Since there was no immediate threat, there really wasn't anything I could do.

On March 1, of 2022, nearly a year later, Tim called me saying he needed me urgently to come to his house. I arrived and he told me he thinks he heard the stalker outside, but when he went outside his vision was blurry due to an injury in a football game from the previous day. He then led me to the security room where he was going to show me footage. When we got there, the screen showed no working cameras and a Stew Cup MVP trophy was taken, his most prized possession. I was able to see the guy in the video from a social media video. I told him since we both didn't know who this guy is, we would keep an eye out for him. Later that night, I got a 911 call from Nellie Neighbor saying that a guy was shot at her neighbor's house. When I arrived at the scene, it was Tim Frady's house. I arrested Tim Frady for his illegal action.

Testimony of Joe Gunner

My name is Joe Gunner. I'm 27 years old and I grew up in suburban New Jersey where I met Tim. Our families were good friends when we were younger and we would eat dinner together every week. I was actually the one to introduce Tim to football when we were in middle school and we played

together all the way through college. However, I suffered from a serious injury and I almost wasn't able to walk again. So subsequently I stopped playing football, and because of that I started seeing Tim less and less. The last time I saw Tim was right before he got drafted into the NFL and we had a huge neighborhood party.

So recently when I got a call from Tim and he asked me if I wanted to come over to his house to catch up and watch football, I was very excited. We met up on Tuesday, March 1, and had a lot of fun chatting and just catching up on all of our lost time together. I told Tim about how I had taken over my father's gun business and was now making quite a bit of profit off of my newfound passion. Tim then shifted the conversation to how he had been stalked for almost a full year now. He told me that he was thinking about purchasing a gun and getting a permit so that he could defend himself. He then asked me what I thought about the situation and what type of gun I would recommend. I said that I would definitely recommend the purchase of a gun and I mentioned that I had some guns in my truck. He asked if he could see them so I agreed and brought the guns I had with me in their cases inside. They were in their cases so I assumed they were all unloaded. I showed them to him and told him that I would recommend the purchase of a handgun. After we were done talking, I put the guns back in their cases and left them by the front door. We then went back to watching football.

We hung out for many hours and it got pretty late. So Tim offered me a room on the second floor of the house. I kindly accepted and went up to my room. I crashed hard at around 8:30 p.m. and didn't wake up for the rest of the night.

Testimony of Tim Frady

My name is Tim Frady, I am 27 years old and I was born June 27, 1995. I grew up in suburban New Jersey, meeting my best friend Joe Gunner in elementary school. We played football together until college, when Joe suffered from an injury and could no longer play because of the long-lasting effects. However, I would go on to play for the New Jersey Rockets. In addition to football, I spend my Saturdays helping clean up the trash at the local park, but recently I have been experiencing a growing concern and I am terrified to leave my own home. I have been followed, stalked, and threatened by someone for a little over a year. I met with an Officer, Detective Flatfoot, multiple times about this, but no legal action has been taken as the suspect has never been clearly identified.

I have received multiple packages and letters, these letters started as positive messages and fan mail. They were just normal letters, but I worried because they were being sent directly to my home, instead of my P.O. box. Soon, these letters took on a different form, turning into threats and warnings that if I did not respond to their mail, they would come to my house. I began to receive many direct messages over various social media platforms as well, all from different accounts. I even found a person in the background of many videos I have filmed for my fan base, all filmed in my own home. Even with this overwhelming occurrence, this is not the worst thing that has happened to me in relation to my stalker.

One night I got home from a practice and I immediately noticed one of my security cameras was broken. I hesitantly went inside my home and saw that one of my trophies

from the Stew Cup MVP was missing. I immediately called the police, but there was not enough evidence for them to continue the case. I was extremely horrified and I was contemplating applying for a gun permit so I could carry a weapon for protection. I decided to contact my friend, Joe Gunner, in hopes that he could recommend some gun options to me and tell me more about them while we watched some football videos. I hoped that having someone with me to enjoy the replay of a game or two might help distract me from my concussion, symptoms, and injury I received at a recent game. I did not want to be more vulnerable to the stalker than I already was.

My friend Joe taught me a lot about gun laws, ways to get a permit, and what guns he believed would be most useful and efficient to me. I asked him if he wanted to stay the night and he agreed, I think partially out of worry for my safety. I had gone to bed a little earlier than Joe because I began to get a headache and wanted to lie down. As I was about to fall asleep, I was immediately interrupted by the sound of leaves being stepped on outside my home. I went to investigate outside, my vision still blurry and a slight headache in the back of my skull, common concussion side effects. I did not see anything so I went back to bed, but I could not sleep knowing that the stalker could still be on my property, so I called the police. They quickly arrived and let me know that there was nothing to be afraid of and to go back to bed, but if I saw something more concrete, then I should call them again.

About an hour and a half later, I woke up again to more crunching noises on the leaves, but this time the footsteps sounded like they were getting louder. I was extremely

anxious and ran downstairs to Joe's case of guns and opened it. I needed to show dominance against the stalker and scare him, I did not want to kill him. I have never wanted to kill anyone. I went outside, shot the gun trying to scare him off, but with shaky hands and blurry vision, I hit him. I instantly regretted my actions, rushed inside to try to sleep it all off, and tried to convince myself it was all a dream.

Testimony of Nellie Neighbor

My name is Nellie Neighbor, I am 62 years old and I work as a real estate agent here in New Jersey. I have the honor to live next to one of the best football players in history. I am a huge football fan, and whenever Tim Frady had a game, I would always watch him. After his games when he returned home, I would call over to him from across his yard and ask how he was doing. We became good friends.

Each night I would go outside my porch with a cup of tea and read a book to myself, and every night since a year ago, I noticed a few things being different about my neighbor, Tim Frady's, house. I noticed peculiar boxes on his front porch and a strange man roaming around his house. I saw these occurrences here and there over the past year, but never thought much of it as I assumed it was simply a relative of his or a friend.

I like to go on walks around the neighborhood to get my steps in in the evening. Then, on the night of the crime, I stepped outside to take my walk and I saw Mr. Frady with a gun, standing on his porch while the strange man was fleeing onto the sidewalk. A gun was shot and the man fell. In an act of panic, I immediately went to my

phone and dialed 911. The police arrived shortly and I realized with horror that the person shot was a stalker, trying to ruin poor Mr. Frady's career.

INSTRUCTIONS

The prosecution must prove beyond a reasonable doubt that Tim Frady is guilty of illegal gun possession.

SUB-ISSUES

1. Did Joe have valid permits for his guns?
2. What is the relationship between Nellie and Tim?
3. Does Nellie have good eyesight?
4. Has Tim ever shot a gun before?
5. Does Tim have a violent past?
6. Did Nellie know that any of this stalking had been happening?
7. Did the stalker or the person shot die?
8. Is Tim getting charged with murder?

CONCEPTS

1. Beyond a reasonable doubt.
2. Credibility of the witnesses.
3. Legal gun possession.
4. Stalking.

LAW

1. NJAC Title 13 Chapter 54
13:54-1.3 Firearm identification card or permit to purchase required
 - (a) No person, other than a licensed or registered retail or wholesale dealer, shall receive, purchase or otherwise acquire a rifle, shotgun or antique cannon, other than an antique rifle or shotgun, unless that person possesses and exhibits a valid firearms purchaser identification card. No person shall sell, give,

transfer, assign or otherwise dispose of a rifle, shotgun or antique cannon to a person other than a licensed or registered retail or wholesale dealer unless the buyer or receiver possesses and exhibits a valid firearms purchaser identification card. No person shall sell or acquire a sawed-off shotgun.

- (b) No person, other than a licensed or registered retail or wholesale dealer shall receive, purchase or otherwise acquire a handgun unless that person possesses and exhibits a permit to purchase a handgun. No person shall sell, give, transfer or assign or otherwise dispose of a handgun to a person other than a licensed or registered retail or wholesale dealer unless the buyer or receiver possesses and exhibits a valid permit to purchase.
 - (c) The provisions of (a) and (b) above shall not apply to the Armed Forces of the United States, the National Guard or to a law enforcement agency; provided that such transactions are authorized in writing by the appropriate governmental entity as provided by this chapter.
2. Second Amendment
A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

The Case of the Exposed Theory: Garcia v. Painterly Co.

SCHOOL

Little Way Homeschool Cooperative
South Orange
Grade 8
Second Place



TEACHER

Heather Johnston Marvell



STUDENTS

Jack D'Angelo
Audrey Marvell
Therese Pammit
Evangeline Renieris

Michael Rose
Peter Sankel
Blaise Sussmann
Xavier Sussmann

FACTS

On June 8, 2018, Painterly Co., an exterior house painting company, sent an email to Sam Garcia. He was an actor who had recently finished filming *The Sign of the Crooked Claw*. Painterly asked that they be allowed to stream a Facebook Live promotion for their company at his house, which they had recently painted a startling shade of green. Sam replied, saying he would be out of his house from 12:00 to 1:00 on June 11, so they could film it then. On June 10, Sam emailed Painterly saying that he would be in the house at noon and he was sorry for the inconvenience. However, he did not mention that he consequently did not want them to film then.

On the day of June 11, at 12:00, Painterly came and filmed their promotion. Sophia Hernandez, Sam's fellow actor in the new movie, had come to Sam's house where they were having a political debate. Sam Garcia's voice was heard speaking about how he believes the Earth is flat through the open window.

Painterly was streaming audio and video onto Facebook Live. There was no way for Painterly to have been able to cut out Sam's voice and still continue with their promotion. However, Painterly could have stopped filming. Once it was on Facebook Live, there would have been no way for the promotion to be entirely deleted. There was much argument as to whether Sam's words were audible.

Once Sam's voice had been recognized expressing flat Earth views, the promotion became viral. Thus, many people were exposed to Sam's views and once they realized he was in *The Sign of the Crooked Claw*, the movie became less and less

popular. Sam was going to have been paid royalties, so, because the movie was less popular, he would receive less money. Sam immediately sued Painterly, accusing them of technological invasion of privacy.

ISSUE

Did Painterly invade Garcia's right to privacy?

WITNESSES

For the Plaintiff

Sam Garcia

Sophia Hernandez

For the Defense

Logan Brown

Rita Prince

WITNESS STATEMENTS

Testimony of Sam Garcia

My name is Sam Garcia. I am an actor who recently finished recording a movie called *The Sign of the Crooked Claw*. Acting is the way I pay my bills and employ my agent and publicist.

On June 8, Painterly Co., an exterior painting company, emailed me, requesting if they could film a live news segment outside my house, at 12 Gunby Way, which they had recently painted a brilliant green. I consented to this, and agreed that they would film on June 11, between 12:00 and 1:00, as I would not be home at that time.

I was planning to have coffee with Sophia, one of my fellow actors, to catch up, since we had finished acting a while ago. Later on, however, Sophia and I arranged to have coffee at my house instead. So, I emailed Painterly Co. again, saying, "I will still be in my house at noon tomorrow, as my plans have changed." I added, "I apologize for this inconvenience."

On June 11, Sophia arrived at my house, and we chatted in my living room. I left a window open to let the fresh air in. While we were talking, we heard some voices and strange noises outside my house, but we assumed it was just the children next door. At some point, we somehow reached the topic of whether the Earth is flat or round. I declared loudly that the Earth is flat, and gave the many reasons I believe this is true.

On June 12, at 8:00 a.m., I was notified by my agent that people were no longer buying tickets or watching downloads of *The Sign of the Crooked Claw*. Because I was to have been paid royalties, I will not receive as much money as I should have. Then, at 8:05, I received an urgent phone call from my publicist explaining what was happening. I logged onto my computer. I looked at several popular social networking sites, such as Facebook and Twitter. I immediately began to be assaulted with memes, blog posts, and comments all criticizing me for my flat Earth views. I quickly went to the Facebook Live website and found yesterday's interviews with local businesses. I skipped to the interview with Painterly, and I could clearly hear my voice expressing my views on the flat Earth theory! My privacy has been violated.

Testimony of Sophia Hernandez

My name is Sophia Hernandez, and I am the co-star in the movie, *The Sign of the Crooked Claw*. I planned a get-together at my house with Sam, on June 11. However, due to a pipe leak at my house, we arranged to have our get-together at Sam's house instead.

On the 11th, I went to Sam's. But, unbeknownst to us, Painterly came and started broadcasting. Meanwhile, Sam and I

were having a friendly debate on the flat Earth Theory in Sam's living room. Sam left the window open to let in fresh air. Apparently, on the broadcast, Sam's loud voice could be heard, exposing his political views to the nation. Now people are financially and personally turning away from Sam and *The Sign of the Crooked Claw*.

Testimony of Logan Brown

My name is Logan Brown. I am the owner and CEO of Painterly Co. On June 7, 2018, our company painted the house of Sam Garcia, the famous actor, at 12 Gunby Way, North Orange. The following day, I emailed him, asking if our company could film a Facebook Live event at his house, which would promote our company. He replied, saying that he would be away at noon on June 11, and we could film then.

On June 10 at 4:00 p.m., however, an email came in from Garcia, saying that he would still be in the house, and that he was sorry for the inconvenience.

I had a talk with the sound designer, and she said she could position the microphone so that it would not capture background noises. We showed up at noon on June 11, and began filming. I stood in front of the house, and began to talk about why you should choose Painterly Co. I heard a faint noise above me, but I didn't pay much attention to it; for one thing, the voice was barely audible.

After that, I went back to Painterly's headquarters. The commercial had streamed. That is all I know.

Testimony of Rita Prince

My name is Rita Prince. On June 11, 2018, I was on Facebook watching a live Painterly

promotion. What surprised me was that I could clearly hear in the background someone (whom I now know is Mr. Garcia) expressing his belief that the Earth is flat. I thought this extremely hilarious. Since people like hilarious videos, I posted a video on my EyeTube channel, RitaPrinceS, titled, “Easter Egg: Listen for the Flat Earther’s Views, LOL!!!” The video soon became viral! I did not, of course, mean this video to be offensive. I thought, as the title suggests, it was a funny little Easter egg in the live promotion. After being contacted by Garcia’s publicist, I deleted the video. But I’m afraid that many people have copied my video and reposted it.

INSTRUCTIONS

The defendant must be proven more than 50% at fault by a preponderance of the evidence.

SUB-ISSUES

1. Did Painterly reasonably believe that Garcia had consented to the live streaming?
2. Did Garcia’s second email withdraw his consent to the live streaming?
3. Did Garcia have a reasonable expectation of privacy in his own home, and have well-grounded reason to believe he was in private?
4. Was Garcia at fault for talking about private matters while keeping the window open?
5. Was Painterly or Garcia more at fault for Sam’s voice being audible in the live stream? What amount?
6. Does Rita Prince take the blame? What amount?

CONCEPTS

1. Effectiveness of notice.
2. Comparative liability.
3. Expectation of privacy.
4. Burden of proof: liability by a preponderance of the evidence.

LAW*

1. **New Jersey Statute 28**
Live streaming of audio and/or video from a private property is illegal without the owner of the property’s consent. If the owner has clearly consented to the live streaming, it may still take place if there has been no expression that allows for someone to reasonably believe it has been withdrawn.
2. **New Jersey Statute 28A**
For one to be held liable for damages, he/she must be more than 50% at fault.
3. **North Orange Municipal Law 3.5**
A person has a reasonable expectation of privacy when in his/her own property or private space, and has well-grounded reason to believe he/she is in private.

*These laws are fictitious, created for purposes of this case.

Hunting or Confronting? State v. Hunter Gobble

SCHOOL

Valleyview Middle
Denville
Grade 8
Honorable Mention



TEACHER

Alison Minion

STUDENTS

Ryleigh Buldo
Henry Cappello
Christian Castellucci
Kendyl Croft

Caitlyn Estrada
Brianna Fiore
Anfal Mahmoud

FACTS

On the morning of Wednesday, November 18, 2021, 33-year-old Hunter Gobble was driving his pickup truck from his home in Sussybakaville to his usual hunting spot, Willowbrook Forest, about 30 miles away. Mr. Gobble has a hunting license and has a registered Winchester 13000 for the purpose of hunting turkeys. Each year, Mr. Gobble hunts turkeys to donate to a food pantry for Thanksgiving. On this morning, Mr. Gobble stopped at 8-12, a convenience store about 0.25 miles from the entrance to Willowbrook Forest, to buy trail mix and coffee and to use the bathroom. This is his usual early morning stop on the days that he goes hunting.

As he got out of his pickup truck, Mr. Gobble looked through the glass front wall of the store and saw the usual morning cashier, Joey W. Bucks, behind the register. He saw what appeared to be a confrontation between Mr. Bucks and another man, who was holding a hammer up in the air.

Mr. Gobble made a quick decision of bringing his Winchester 13000 with him into the 8-12. As Mr. Gobble entered the store, Bucks was holding onto some money and handing them out. Bob T. Builder, a 27-year-old construction worker, was standing across the counter, holding a hammer up in the air and pointing it towards Mr. Bucks. Under the assumption of it being a robbery, Mr. Gobble, with the Winchester 13000 in his hand, points his weapon at Bob T. Builder. There are a few customers in the store at this time, as well as an additional employee. Dalton Jones, a customer, is watching Mr. Bucks, Mr. Gobble, and Mr. Builder from the drinks aisle. He dials 911. Soon after, the police arrive. One officer

points her gun at Bob T. Builder and tells him to put the hammer down. Bob T. Builder puts it down and puts his hands in the air. At the same time, two officers point their weapons at Mr. Gobble, who also lowers his weapon.

ISSUE

If Mr. Gobble was licensed to use his hunting weapon, did he violate the law when he brought it into the 8-12 and pointed it at Mr. Builder? If Mr. Gobble thought he was preventing an armed robbery, is his use of a weapon criminal?

WITNESSES

For the Prosecution

Dalton Jones
Bob T. Builder

For the Defense

Joey W. Bucks
Hunter Gobble

WITNESS STATEMENTS

Testimony of Dalton Jones

It was a very eventful morning. I checked my phone before it all happened and it was 10:08 a.m. on November 18. I had just needed to stop by a convenience store to pick up some Gatorade and chips for my guys over at work. We were just craving something unhealthy that morning. I turned around to go check out at the cash register and all of a sudden, saw the 8-12 cashier with a hammer over his head from one of the customers in the store. Then, a guy drives up and parks his truck in a very sloppy way. He sits there for a bit, and then suddenly gets out and I see that he is wearing head-to-toe camo and he's holding a gun. I saw this all through the big glass windows covering up most of the wall. I

was near the refrigerators over in the back of the store, which left me slightly hidden.

I dialed the numbers “9-1-1” quickly to try to get the police there in time so no one would get hurt or killed. About four minutes later, the police arrived. Hunter Gobble was still threatening the construction worker-looking dude with his gun, even while the construction dude still had the hammer over his head, demanding more money. Even though he had the less dangerous weapon, the construction guy was told to put his weapon down first. Then the cops also had Mr. Gobble put his hunting rifle down. That poor cashier looked stressed and I felt bad.

After about 10 minutes passed, I went up to check out and get my things. The cashier kid looked terrified. I think that Mr. Gobble was a big issue. He didn’t have to do that because the cashier was already handling it. Bringing a gun into the situation, he made it worse and made the construction guy wave the hammer around higher above his head, threatening everyone more. He wasn’t scared by the gun, I guess he thought that the camo-guy wouldn’t shoot or something. How should I know what was going inside of his mind? The other employee and I were both so shocked and scared after Mr. Gobble walked in with his gun. We thought he was going to shoot us all because he started pointing it unsafely, especially because he’s only a hunter with a hunting license, instead of maybe just trying to use his words first.

Testimony Bob T. Builder

I received a call from Mr. Bucks on the Tuesday of that week, saying the counter was very old and breaking apart. He asked me if I could come in and fix the counter. We spoke about how much it might cost, and haggled

on the price for a little while on the phone.

When I got to the 8-12 the next morning, I saw that many nails were sticking out from the counter, customers were complaining that their clothes were being ripped and one person even got tetanus. I got to work. As I was about to put in the last nail, Mr. Bucks started pulling money out to pay me. Just then Mr. Gobble barged through the door and pulled a gun on me. I was completely shocked and confused about his motivation for doing this. Someone must have called the police because they thought Mr. Gobble was an armed criminal.

Testimony Joey W. Bucks

I knew Mr. Gobble for more than six years, and he always stops by to grab snacks and coffee on his way to his seasonal turkey hunting. On Thursday, November 18, I kind of expected to see Mr. Gobble early in the morning to buy his snacks. It was getting close to Thanksgiving. Anyway, a suspicious man with a hammer in his pocket came into the store and asked for the money in the cash register. I told him I wouldn’t be able to give him the money that he wanted. He grabbed the hammer from his pocket and started threatening that he would attack me and take the money himself. I was like a sitting duck, standing behind that counter. I was afraid for my safety, and the other customers’ safety, too, so I tried to take the money out of the register for him.

Next thing I know, Hunter came inside the store yelling at the man to put his weapon down. Hunter had his gun in his hand and pointed it at the man. Hunter told the man to put his hammer down on the counter, but the man raised his arm up like he was considering whether to strike or not.

A customer had already been calling the police—I could hear him from the back of the store—and they arrived shortly after Hunter and the man had that exchange. Once they did arrive, the suss dude seemed to have lowered the hammer, and Hunter lowered his gun.

Testimony of Hunter Gobble

My name is Hunter Gobble. I was parking in the 8-12 at 10:08 a.m. on November 18. I was about to head into Willowbrook Forest to start hunting for turkeys to give to a food pantry. The 8-12 has big plate glass windows in most of the front of the store, so I could see right through. Before I even got out of the driver's seat, I looked inside, only to see a big construction worker, towering over and threatening the cashier. I could see that poor Joey was fumbling in the cash drawer, and the big dude had a hammer in his hand. I also saw at least two people who appeared to be hiding in the aisles, so I assumed this was a robbery.

I decided to grab my Winchester 13000 and walk into the store to protect Joey, the guy behind the counter. When I walk in with the weapon, Joey is putting all the money that was in the cash register into a stack while the robber is still holding the hammer over his head. I decided to point the gun at him to get his attention. I figure that way the robber would stop. Before I knew it, the police were in the building and they were able to handle the situation. I then saw the robber put down his hammer and raise his hands in the air. I then point my weapon away from his head.

As you can see, this is a complete misunderstanding and that I brought my hunting weapon into the building only to

protect Joey and the people in there and to stop the robber from getting away. Besides, if I didn't step up to help and keep the robber focused on me, he would have gotten away before the police could get here.

INSTRUCTIONS

The prosecution must prove beyond a reasonable doubt that Hunter Gobble violated the law when he brought his hunting weapon into a public area.

SUB-ISSUES

1. Does it matter if Mr. Gobble thought he was preventing a crime when he brandished his weapon?
2. Is Mr. Gobble's hunting license a valid defense for brandishing a registered hunting weapon in this context?

CONCEPTS

1. Vigilante justice vs. self-defense.
2. Credibility of witnesses.
3. Burden of proof: prosecution must show beyond a reasonable doubt that Mr. Gobble criminally violated the law.

LAW

1. Second Amendment to the U.S. Constitution
2. It is forbidden to bring a gun into a local store unless permitted by a store policy.

Halloway v. Talden

SCHOOL

Clinton Township Middle
Clinton Township
Grade 8
Honorable Mention



TEACHER

Diane Cormican

STUDENTS

Maura Green
Jenna McDevitt
Caleb Morman
Emily Scott

Kelly Shanklin
Kathryn Wolf
Kevin Zhang

FACTS

Becca Halloway is 19 years old and is a sophomore English major at the University of Meadow Ridge. She is in the AFROTC (Air Force Reserve Officer Training Corps) program and lives in the dorm. She shares a dorm room with Alseta Taldan and Eleanor Naivir, with whom she was matched by the student housing department.

On April 27, 2021, Alseta Taldan was with Eleanor in their dorm room when she saw that Becca had left her laptop open and unplugged. She allegedly went to plug in the charger for her roommate, when she noticed several open tabs that caught her attention.

Alseta claimed to have noticed a tab open where there was a receipt for a purchased term paper. Alseta knew that this was cheating and that it went against the school policy. She took a photo on her phone of the term paper along with the receipt and showed it to the Resident Assistant (RA) in her dorm. Eleanor witnessed this.

The RA took it to the Dean of the University. Becca was summoned to the Dean's office and was given a two-week suspension for cheating by buying a term paper. The University of Meadow Ridge has a very strict academic integrity policy. In the two weeks of suspension, exams took place. As a result of this, her grades dropped to a 2.4 GPA, and she was removed from the AFROTC program.

Later, Eleanor informed Becca that Alseta was the person who went through her computer and got her suspended. Becca is now suing Alseta for invasion of her privacy, breaching CFAA, the Computer Fraud and Abuse Act, the lost AFROTC financial assistance; and legal fees totaling \$350,000.

ISSUE

This case is being brought before the court because Alseta Taldan allegedly violated Becca Halloway's privacy by accessing her computer files without authorization, directly leading to financial damages.

WITNESSES

For the Plaintiff

Becca Halloway
Eleanor Naivir

For the Defendant

Alseta Taldan
Dr. Ivan Helms

WITNESS STATEMENTS

Testimony of Becca Halloway

My name is Becca Halloway, and I am a sophomore studying English at the University of Meadow Ridge. I am part of the AFROTC program, a government program that covers my college tuition and living expenses in return for four years of service in the Air Force. Since I was 14, I have wanted to attend this program, and I worked very hard to get in. I had a relatively decent grade-point average, and I loved college.

I am roommates with Alseta Taldan and Eleanor Naivir, who are also sophomores. Alseta asked to use my computer once, and I told her she could. I never gave her permission to use it whenever she wanted to.

On April 27, 2021, I was asked to meet with Dr. Helms, the dean of the school. He told me that I was being suspended from the school for cheating on my term paper. I was confused. I asked Dr. Helms why he would think that. He told me that a student had brought in evidence of emails on my computer that showed proof of purchasing a

term paper. I didn't understand. I have used countless resources online in my research but never intended to pass anything off as my own. Dr. Helms didn't even give me a chance to tell my side of the story.

I was suspended for two weeks, and exams took place during that time. Any assignments, quizzes, or exams that are missed during suspension become automatic zeroes. I missed all of my exams, and my grade plummeted. To stay in the AFROTC program, I was required to have a GPA of at least 3.0.

After I was suspended, Eleanor told me that Alseta had accessed my computer and looked through my files. Alseta had even taken photos of my screen. I was furious; I couldn't believe that she would blatantly invade my privacy. Due to my expulsion from the program, I could no longer afford the rest of my college classes. Alseta had no right to go through my files and make such outrageous claims. Her "evidence" of my cheating was wrongfully obtained. I am now suing her for violating my online privacy.

Testimony of Eleanor Naivir

My name is Eleanor Naivir, and I am a sophomore studying political science and business at the University of Meadow Ridge. I have been both Becca and Alseta's roommate since the fall semester of 2021. Alseta and I went to high school together, and both of us met Becca at a mixer this year.

Early in the semester, it became clear that Alseta had computer problems and needed an upgrade. I heard her ask Becca one night if she could use her computer. Becca agreed, but she watched Alseta the entire time. Historically, Alseta hasn't always respected others' privacy. I have had to ask her several

times in the past not to touch my things or look over my shoulder at what I was doing, so I understood that Becca was a bit uncomfortable.

On April 27, 2021, I was studying in the dorm's common room with Alseta when Becca rushed out of the room to attend a training session. However, she had forgotten to close her computer. A few minutes later, Alseta excused herself to plug in Becca's computer, which lay on her bed. Alseta was moving the computer when I saw that she was reading the tab open on the screen. At that point, I was confused, but I said nothing. She gasped and began clicking through Becca's tabs and files. I got up and approached Alseta, who by then, was taking photos of Becca's screen with her phone. Alseta claimed that the tabs were already in view when the laptop turned on, even though I saw her clicking through them.

I reprimanded Becca's decision, but Alseta had no right to turn her in with the evidence she had wrongfully obtained. Becca was suspended by Dr. Helms, the university's Dean. It was during finals—the most important week of the year—that Becca was suspended.

Becca was furious when I told her what happened; she could not believe how Alseta would recklessly sift through her computer, with no regard for her privacy. It is my firm belief that Alseta infringed on Becca's online privacy; she had no right to use Becca's computer without her explicit permission.

Testimony of Alseta Taldan

My name is Alseta Taldan and I am a sophomore at the University of Meadow Ridge. I have been Eleanor and Becca's

roommate for a year and I'm currently in nursing school. My computer is nearly as old as me, so I've had to borrow Becca's many times. Of course, I've asked permission each time, and each time she has said yes.

Whenever I ask her to borrow her computer, she shrugs her shoulders and says, "go ahead."

One day, right after Becca left for a training exercise, I noticed that she left her computer open. Being the good roommate that I am, I brought the computer to her desk and plugged it in. As it began charging, the monitor automatically lit up, and I was absolutely shocked by what I saw.

The first tab on her screen was a website that sold essays and term papers. This baffled me. Though Becca never made the Dean's list, I never thought that she would cheat. After discovering this, I took several pictures with my phone. However, I left the computer as it was.

As our college rules state, it was my duty to report what had been revealed to me. I immediately went to the RA to show him what I had found. With my irrefutable proof, he reported it to the university's administration.

Regardless, I know how wrong cheating is. I have always been a rule follower, so of course, I am very aware of the "Abetting Wrongdoings Code" in the University handbook. I think that Becca of all people, being in the AFROTC program, would understand integrity. That's doing the right thing even when no one is watching. Becca cheated by her own choice, and I'm sure she knew how wrong it was. It was only a matter of time before she got caught, and I was just the one to catch her.

Testimony of Ivan Helms

My name is Dr. Ivan Helms, and I am the dean of the University of Meadow Ridge. I have a Ph.D. in educational leadership and have been in this position for 16 years.

The University of Meadow Ridge is a private school with a mission to provide a rigorous education. Our school has a zero-tolerance policy on cheating of any type, as it goes against everything our school stands for. This includes plagiarism as well as buying term papers and exams. When sufficient evidence is provided to substantiate a student has been cheating, they would be suspended immediately. In addition, anyone who has been found abetting would be subjected to suspension or expulsion, due to our "abetting wrongdoings code."

On April 27, 2021, one of the Resident Assistants reported that Becca Halloway had violated the academic integrity policy. When I asked her to provide evidence, she sent in pictures of Becca's computer, containing a receipt for a pre-written term paper, along with the paper itself. Alseta has demonstrated outstanding judgment and followed our code of ethics by bringing this breach to our attention. She has shown exemplary character in her actions.

The assistant dean and I discussed this situation, and we concluded that the evidence was sufficient to prove that Becca had violated the integrity policy of the University of Meadow Ridge. We suspended her for two weeks, the punishment given to all first-time violators of the policy.

It is essential to punish cheating as an example to future students. I strongly believe that Alseta was being a good citizen and Becca's suspension was justified. Alseta may

have violated Becca’s trust, but she has in no way violated any laws.

wire, oral, or electronic communication.”

INSTRUCTIONS

The plaintiff must prove, by a preponderance of the evidence, that the defendant illegally accessed her computer, directly causing financial damages.

SUB-ISSUES

1. Has the Dean heard Becca’s explanation about the purchased term paper?
2. Was Alseta given any permission or indication from Becca, suggesting that she could use her computer?
3. Was there anything to show that Becca intended to use the paper as her own?
4. Does the university have a code of privacy for students?
5. Was Becca’s computer password protected?

CONCEPTS

1. Internet privacy.
2. Credibility of witnesses.
3. Burden of proof.
4. Reasonable suspicion.
5. Legality of evidence.

LAW

1. The Computer Fraud and Abuse Act of 1986 (CFAA) “prohibits intentionally accessing a computer without authorization or in excess of authorization.”
2. Electronic Communications Privacy Act (ECPA) of 1986 “prohibits the intentional actual or attempted interception, use, disclosure, or procure[ment] [of] any other person to intercept or endeavor to intercept any

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