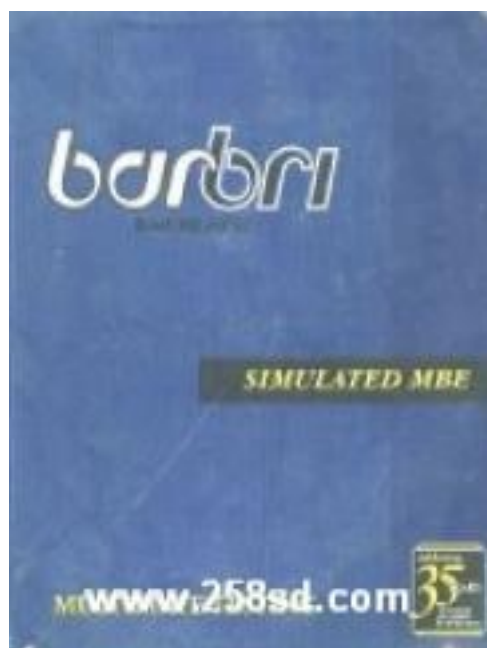


Simulated MBE Workshop: Multistate Testing



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著者:

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装帧:

isbn:9780314145321

Question 1 Question 2
In which of the following fact situations does Responding to growing concern about cigarette smoking, Defendant has the best argument that he was retreating from smoking by minors and seeking to reduce the economic impact of an increase in the long-term health costs from smoking-related diseases? The notice that Defendant's car is being searched by police officers is erratic on the highway. The defendant dressed the problem in several ways. One officer pulls Defendant over. Defendant's provision focused on federal economic development emerges from the car and appears incoherent. Defendant grants the states to rent and disoriented. Defendant is arrested and charged with driving under the influence of alcohol or drugs. The police search the car.

reduced by 10% for any state that fails to require Defendant's glove compartment and find businesses engaged in the sale of cigarettes to plastic bag containing a large quantity of take specified precautions to avoid sales to minors including checking drivers licenses or marijuana. photo ID cards. The state of Raleigh which has without a warrant federal narcotics office a lucrative tobacco industry and receives several cross Defendant's fenced-in field and million dollars under the federal grant program look through a window into Defendant's challenged the constitutionality of the provision barn. The barn is located about 150 feet in federal district court. from the fence surrounding his house. The federal agents observe a large quantity of Should the court uphold the federal provision recently harvested marijuana within the barn. The agents then go to a magistrate's swear out a warrant and arrest Defendant. (A) No if the federal provision affects state regulation of businesses that do not operate (C) Narcotics officers attached to the State in interstate commerce. Police learn from an informant that the semi-opaque panes of glass on Defendant's (B) No because state distribution of economic greenhouse adjacent to his house are development funds is an integral government being replaced during the night with a newer type of glass that lets in more light without an increase in visibility. They fly Yes because Congress may condition over Defendant's greenhouse in a helicopter grants of money under its spending power that night. One of the officers focuses on the greenhouse with a pair of infrared (D) Yes because the provision is substantial "night-vision" binoculars supplied by the related to the important government inter Department of Defense and not available to restrict minors access to cigarettes the general public. He determines that marijuana is being grown. The officers then go to a magistrate's swear out a warrant and arrest Defendant. Using a small plane of the type used for crop-dusting county sheriff's officers take aerial photographs of the fields surrounding Defendant's farm. The pictures are later developed and show that there is marijuana growing in Defendant's fields. The sheriff's officers go to a magistrate's swear out a warrant and arrest Defendant.

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