

ADMINISTRATION OF JUSTICE

Opening Activity

Whodunit #6?

The Case of the Crunched Motorcycle

Name: _____ Period: _____ Row: _____

LADIES AND GENTLEMEN OF THE JURY:

If the driver of a car accidentally damages another vehicle that is improperly parked, the driver is usually not responsible for any damage to the illegally parked car.

While Andy Jones, the plaintiff, was shopping at the Puente Hills Mall, his motorcycle was run over by a car driven by Billy Simpson, the defendant. Mr. Jones charges that Mr. Simpson purposely ran over the motorcycle to get even with him. Billy Simpson says he is not responsible for the accident and will not pay for the damages under any circumstances.

Andy Jones has provided the following testimony to the court:

"It was Sunday afternoon, May 17th. I rode my motorcycle over to the Puente Hills Mall and parked in an empty parking space. My first stop was the Make Them Happy Card Shoppe to buy a birthday card for my girl friend. After I purchased the card I went into Jim's Records store. My favorite singing group, Twin Sensation, had a new CD out, and I wanted to see if the store had it in stock yet.

I remember passing my motorcycle as I was on my way to Jim's Records and it was parked upright as I had left it originally."

Andy Jones was in the record store for only about five minutes when he heard a loud crunching noise like a traffic collision and ran outside to see what happened. To his horror, he saw his motorcycle lying crushed under the wheels of Billy Simpson's car. Several shoppers began to gather around the accident, but there were no eyewitnesses to the accident.

EXHIBIT A is a map of accident scene in the Puente Hills Mall with the path Andy Jones took from the card store to the record shop marked with arrows.

EXHIBIT B is a photograph of the accident scene. You will note the motorcycle's tangled wreckage under the car of Billy Simpson.

Andy Jones continued with his testimony with the following information:

"My motorcycle was properly parked, I'm positive about that. What should be the issue here is the fact that this was no accident. Billy Simpson has a grudge to settle with me and was out to get me for the past two weeks. We both have summer jobs working at Me-n-Ed's Pizza Parlor. Billy has been coming back from lunch later and later every day, and I finally had to tell the manager. Billy left me no alternative because I had asked him to be more aware of being back on time. He just laughed. There's too much work for me to handle all by myself and that's why I told our manager."

"The day after I spoke with the manager, Billy charged toward me in the parking lot after work and was very upset. He said Andy you won't get away with doing this I'll get even no matter what. Just you wait and see. You'll be scared to death before I'm through with you Andy. There is no doubt in my mind that Billy Simpson ran over my motorcycle on purpose."

Mr. Jones seeks payment for damages of \$280.00 for damages.

Billy Simpson has presented a very different version of what happened. I will now read from his testimony. First the question from his attorney and then Mr. Simpson's answer:

Q. Where were you on the afternoon of Sunday, May 17th?

A. I was driving over to the Puente Hills Mall in my car to do some shopping. There's no way I would ever do anything that might put a dent in my car on purpose.

Q. When you drove into the mall, what did you see?

A. The parking lot was crowded with cars. There were a few motorcycles and bicycles parked here and there, but I didn't see Andy's scooter anywhere, if that's what you mean. I finally found a narrow parking space between a van and another car. The van was hogging part of the space and was a few feet across the white stripe.

Q. Did you see a motorcycle in that space?

A. I certainly did not, at least not from my view point behind the wheel of my car. The front of my car sticks out pretty far and it makes it hard to see something laying on the ground in front of my car.

Q. What happened as you began to park?

A. I drove slowly and carefully into the space. All of a sudden I heard something crunch under the wheels of my car. I

immediately put on the brakes and got out to see what it was.

Q. How long have you known Andy Jones?

A. Andy and I are old friends. We used to be in Mrs. Craig's class back in high school. He's kind of a nervous little guy, you know what I mean? So I like to tease him, but he knows I'm only kidding. I'd never do anything to hurt him or his property.

Mr. Simpson further stated that when he drove his car into the parking space he saw two young boys running away from the scene. He suggests that if the motorcycle may have been knocked down by the two boys.

Witnesses have stated that there were vandals at the mall at the time, spraying whip cream across the windows of several cars. Simpson offers as proof **EXHIBIT C**, which is a police complaint by a shopper, Sara Harding, whose window was sprayed by vandals around the time of this accident.

Billy Simpson says that the motorcycle was lying flat on the parking space ground. Since it was parked improperly he was unable to see it. Mr. Simpson requests the charges against him be dismissed because the accident was due to Jones's own carelessness.

LADIES AND GENTLEMEN OF THE JURY: You have just heard the Case of the Squashed Motorcycle. You must decide the merit of Mr. Andy Jones's claim. Be sure to carefully examine the evidence in **EXHIBITS A, B, and C**.

Did Billy Simpson knowingly drive his car over Andy Jones's motorcycle? Or was it an accident?

THESE ARE YOUR EXHIBITS OF EVIDENCE

EXHIBIT A

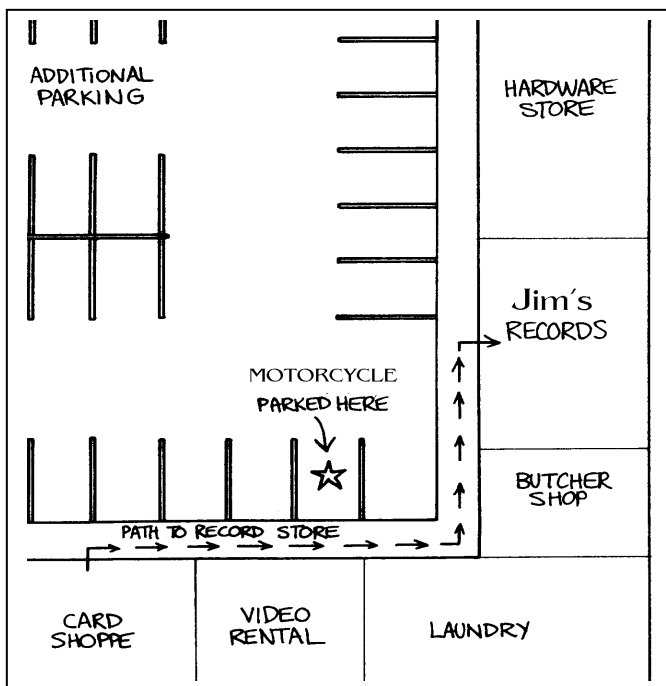


EXHIBIT B

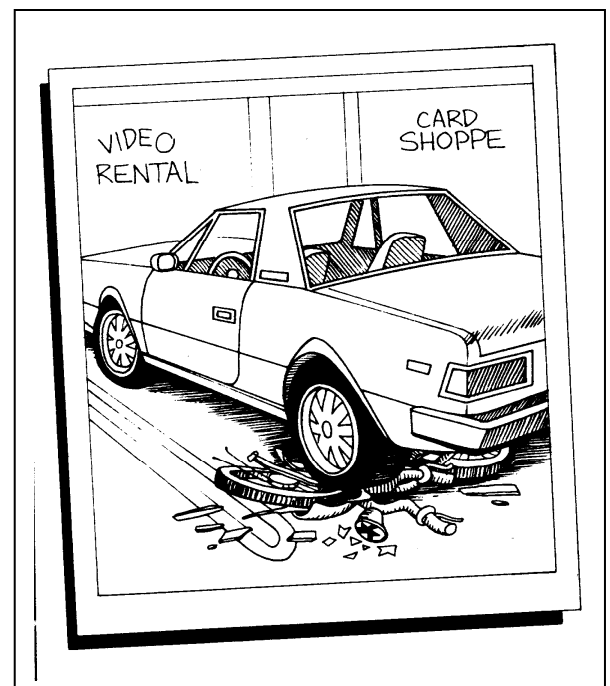


EXHIBIT C

CRIME CLASSIFICATION VANDALISM	POLICE DEPARTMENT REPORT
NAME OF COMPLAINANT SARA HARDING	ADDRESS 932 Westbrook Lane
<p>12:33 P.M. Complainant stated she was shopping inside the ACE Hardware Store at the Puente Hills Mall when she witnessed two young boys creating a disturbance in the mall parking lot. The witnesses claims she saw the two boys spraying whipped cream across the windows of a number of parked cars.</p> <p><i>Brett Wilson, 67543</i> Investigating Officer</p>	

THE VERDICT! (Explain your decision)
