

4.3 KNIFE

This is an armed robbery prosecution. On June 15 of last year at approximately 11:00 P.M. Walter Thompson was robbed at knife point in the 1900 block of Clark Street. The robbery occurred on the sidewalk in the middle of the block at the entrance to an alley.

Thompson described the knife to the police as a “small silver-colored pocket knife with a blade about two inches long.” Frank O’Leary, a police officer who arrived at the scene of the robbery, found a knife fitting that description in an open trash barrel in the alley, about 30 feet down the alley from the sidewalk where Thompson told the officer he had been robbed. When it was shown to him, Thompson stated that his knife looked “just like” the one used to rob him, but he couldn’t say for sure it was the same one. Thompson has identified the defendant, Marshall Harris, as the man who robbed him with a knife.

Now, at trial, both Thompson and O’Leary are available as witnesses. Since finding the knife, Officer O’Leary has kept it in his locked locker at the police station and has brought it to court today. He did not place any labels or markings on the knife.

1. For the prosecution, get the knife in evidence. (Prepare and bring an appropriate exhibit to class.)
2. For the defense, oppose the offer.

