Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Portfolio #: \_\_\_\_\_\_\_\_\_\_

Chart for Trial Strategy in *People v. Carter*

**Directions:** In this case Carter faces two charges (second degree murder & manslaughter). Before trial attorneys must analyze evidence to properly prepare. To defend or prosecute a case one should understand all arguments for the case, both for and against their interests. One way to do this is with a chart identifying all elements of the crime and the corresponding evidence from potential witnesses. This chart outlines the charge of 2nd degree murder. It list the two elements of the crime (1) a killing (2) with malice aforethought. An attorney would fill one of these out for each witness to gain best understanding of crime. You will need to do so for three of the six witnesses.

|  |  |  |
| --- | --- | --- |
| Section 274—Second-Degree Murder: A killing with malice aforethought.  **Witness Name:** | |  |
| **Supporting Facts for the Prosecution** | **Supporting Facts for the Defense** | |
| Element of crime—“a killing” | |  |
| 1. | 1. | |
| 2. | 2. | |
| 3. | 3. | |
| 4. | 4. | |
| Element of crime—“with malice aforethought” | |  |
| 1. | 1. | |
| 2. | 2. | |
| 3. | 3. | |
| 4. | 4. | |

|  |  |  |
| --- | --- | --- |
| Section 274—Second-Degree Murder: A killing with malice aforethought.  **Witness Name:** | |  |
| **Supporting Facts for the Prosecution** | **Supporting Facts for the Defense** | |
| Element of crime—“a killing” | |  |
| 1. | 1. | |
| 2. | 2. | |
| 3. | 3. | |
| 4. | 4. | |
| Element of crime—“with malice aforethought” | |  |
| 1. | 1. | |
| 2. | 2. | |
| 3. | 3. | |
| 4. | 4. | |

|  |  |  |
| --- | --- | --- |
| Section 274—Second-Degree Murder: A killing with malice aforethought.  **Witness Name:** | |  |
| **Supporting Facts for the Prosecution** | **Supporting Facts for the Defense** | |
| Element of crime—“a killing” | |  |
| 1. | 1. | |
| 2. | 2. | |
| 3. | 3. | |
| 4. | 4. | |
| Element of crime—“with malice aforethought” | |  |
| 1. | 1. | |
| 2. | 2. | |
| 3. | 3. | |
| 4. | 4. | |

***Share your info with another prosecuting/defense team that did the other 3 witnesses and write findings below.***