

Class 6: Economic Crimes

Administrative

Next Time: 134-58 and statutes
Doctrine versus Policy in this class

Next next time: Excerpt from Citron will be posted later today or early tomorrow.

Rest of article will be assigned for November 20th conference

Term

Patch

Last Time

Finish Problems
Computer Misuse Statutes Generally +

Property Crimes

Property?

People v. Johnson

Almost identical to People v. Molina, another case from another NY criminal court from prior year

Facts
D in Port Authority trying to sell calling card numbers on scraps of paper.
Lots of evidence it was a valid number (p. 112)

State statute definition of "property"

Held

Reasoning

US v. Brown (internal to Farraj, p. 118)

10th Circuit

Still good law

Facts
Computer programmer
Found in his apartment
Five three-ring binders
Hard disk
Containing previous employer's source code

Held
2314 requires the transfer of *physical* goods, wares, or merchandise

What about the 400 pages of trial strategy from Farraj?

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Property Crimes

Possession and Transportation?


Farraj

Facts

Paralegal working on defense of class action tobacco case offers to sell 400 page trial plan to plaintiffs.

Undercover sting results in offer to sell for \$2 Million.

Charged under federal interstate transport of stolen goods statute.

18 USC 2314 

Held

Reasoning

Compare what Johnson said

Hypos on 118, Note 1

Test?

Identity Theft Crimes

1028 


Cabrera: "Document-Making Implement"

Cabrera's Computer

Scanner

Printer

Microsoft Picture It! is a discontinued photo editing application created by Microsoft. Version 1.0 was released in September 1996. Borrowing from the wizard user interface concepts of Microsoft Publisher, Picture It! was geared to make digital imaging easy for consumers.

"Picture It!" 

Held

Court's Reasoning

Specially Designed

Primarily Used