

# LAW CLERK

## Criminal PROJECTS

### REPLY BRIEF HABEAS PETITION CALIFORNIA

**FLAT FEE**  
**\$700**

#### PROJECT DESCRIPTION

I need a reply brief drafted with respect to a habeas petition filed in California with respect to a misdemeanor case.

#### PROJECT DETAILS

This is a reply brief that is intended to refute the arguments made by the City in their response to my client's habeas petition.

My client drafted a declaration in support of the reply brief and I need someone to draft the reply brief and fix the formatting and potentially some of the content of my client's proposed declaration.

There is only one issue involved and that is my client's innocence in light of the alleged victim providing a declaration unequivocally stating that she lied about her allegations at trial.

#### COMMENTS



#### EXCEEDED EXPECTATIONS

This writer exceeded my expectations. She reviewed a large record and drafted a clear, well-written brief and proposed declaration in a short amount of time. I'm extremely pleased with her work.

## PERSONAL RESTRAINT PETITION CRIMINAL YOUTH SENTENCING ISSUE

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### FLAT FEE PROJECT DESCRIPTION

**\$750**

This is a personal restraint petition regarding a youth sentencing issue.

I am going to provide a template where all of the case law is already provided and I just need you to input the facts from my client's sentencing transcript and sentencing memorandum.

### PROJECT DETAILS

This is a Washington State Personal Restraint Petition that raises one issue - requesting that my client be resentenced in light of his youth.

The template I provide will already have the case law and argument written out so I just need someone to apply my client's facts to the analysis.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Amanda provided a high quality work product in advance of the deadline. I was incredibly impressed with her writing ability, her responsiveness, and her attention to detail.

Amanda exceeded expectations beyond belief. I'm very pleased with her work and believe she can tackle any project successfully.

## MOTION TO MODIFY RULING

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### FLAT FEE PROJECT DESCRIPTION

**\$750**

I need a motion to modify ruling drafted as a result of my client's Personal Restraint Petition and Motion for Discretionary Review being denied.

This is a result of a criminal post-conviction petition.

I will provide a sample and it is a straightforward motion.

### PROJECT DETAILS

This is a motion that asks the Court to modify it's original ruling that my client's motion for discretionary review be denied.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Timothy came through ahead of schedule with a well written work product on a complex issue with some difficult hurdles to overcome.

He was very responsive and reached out to me in advance to ensure he was on the right track. Timothy exceeded my expectations in a big way and I couldn't be happier with the result.

## LETTER TO THE PROSECUTOR

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### FLAT FEE PROJECT DESCRIPTION

**\$300**

Letter to a prosecutor asking them to agree to enter into a motion to reduce a harsh sentence

### PROJECT DETAILS

This letter involves a case where a man was over sentenced. There was a bar fight that led to a victim being paralyzed and the perpetrator being sentenced to serve 60 years in prison, with 40 in and 20 on parole. The case had a ton of racial undertone. The victim was white and the accused was a black man. The problem with the case is that the victim was by all accounts the aggressor.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Great writer and punctual!

## BRIEF FOR PETITION TO EXPUNGE CRIMINAL CONVICTIONS

### FLAT FEE PROJECT DESCRIPTION

**\$200**

Need a brief to support a petition for expungement of criminal convictions pursuant to Tenn. Code Ann. § 40-32-101(g).

### PROJECT DETAILS

Tennessee has a relatively new expungement statute allowing a convicted person to seek expungement after 5 years. My client previously had a diverted criminal offense then later was convicted of two Class B misdemeanors. The convictions are over 7 years old and are eligible for expungement. The district attorney opposes expungement because of the prior diversion. My position is that the prior diversion is not a conviction and should have no "deterrent effect" per *Blackwell v. State*, 605 S.W.2d 832.

The petition, supporting records, and some notes I have will be provided.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Excellent writing covering every needed aspect on a brief to support a motion. Great, detailed research and very much appreciated!

## BRIEF

### FLAT FEE PROJECT DESCRIPTION

**\$1,200**

Defendant pleaded guilty to the court for manslaughter. The judge sentenced him to 25 years in Texas prison. The record consists of about 140 pages of testimony and medical records. The Defendant pleaded guilty to the court without an agreement as to the punishment. He waived his right to a jury trial.

### PROJECT DETAILS

This is a Texas case that does not have any non-frivolous issue for appeal. I want a draft brief pursuant to *Anders v. California*.

There may be an issue as to the late filing of the notice of appeal but I will handle that particular issue.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Exceptional work. I had a brief to do and Porsche did it for me. I did almost no editing, except for putting my name and other incidental editing to comply with the COA's policy. I will have more work for her in the future. I highly recommend Porsche.

## MOTION TO SUPPRESS FEDERAL CASE

### FLAT FEE PROJECT DESCRIPTION

**\$500**

Client was caught with a pound of meth. Basis for search warrant was law enforcement smelling marijuana when up to and next to the garage door.

### PROJECT DETAILS

Relevant discovery can be sent to writer. Police report and necessary affidavit are about 10 pages. Motion and Memo of Support needs to be long enough to cover relevant case law and facts.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Absolutely amazing work!

## MOTION FOR PRETRIAL DIVERSION

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$250**

I need a California licensed attorney with experience in California Criminal Procedure to draft a noticed motion for a criminal defendant in San Diego Superior Court to be granted pretrial diversion pursuant to Cal Penal Code 1001.36 to be filed tomorrow morning - yikes!

**PROJECT DETAILS**

Client (in denial) suffers from mental illness. She is likely 1368 but is facing a misdemeanor violation of DVRO. Denies the DVRO is valid, denies she was served, denies she violated it, etc. All tied to her mental illness. I can fill in the facts, I just need the template for the motion and the P&As done.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Wow - Kelsey is amazing. She was so fast and thorough and did a phenomenal job drafting a motion for me. Everything was just as I wanted - content, format, style, the law was cited correctly and the argument was persuasive - great job, Kelsey!

## 995 MOTION

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$400**

I need a PC section 995 motion to dismiss the information in a felony case on four counts. Read transcript, draft points and authorities, and submit the motion.

**PROJECT DETAILS**

The project should take about 5-6 hours for a well researched and drafted memorandum with citations to the record (transcript of the preliminary examination). First, read transcript. second, the basis for dismissing two of the counts are that the witness could not recall and did not state the facts necessary for the assault as charged. The basis to dismiss the other two counts is that the court prevented defense counsel to inquire as to the effects of medical condition in the second witness to accurately perceive, recollect and recount the events she complained about (due process violation).

**COMMENTS**



**EXCEEDED EXPECTATIONS**

I am pleasantly surprised how thorough and well written the motion was. I am more confident now to rely on this service thanks to Michael. Very efficient and effective I will definitely ask Michael to help me again with my projects.

## HELP WITH WEBSITE CONTENT

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$900**

Looking for help improving content on website relating to drug cases, sexual assault and gun crimes.

**PROJECT DETAILS**

Looking for help with writing content relating to criminal defense for a website designed to educate clients about the process in fighting certain criminal charges.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Did a great job on the project.

## BLOG ON NEW SUPREME COURT BLOOD CASE

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$75**

Blog on new US Supreme Court case came out today on blood testing

**PROJECT DETAILS**

Blog on US Supreme Court blood case

Include link to my site 1 and 2 external links, case on scotus or another source commentary on it

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Did a very good job. I have used Lauren several times her work is always high quality.

## ADMISSIBILITY OF ONE PARTY CONSENT RECORDINGS

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$240**

I need a memorandum regarding the admissibility (or lack thereof) of one party consent recordings of statements of a party in a family law case.

**PROJECT DETAILS**

Although one party consent recordings are clearly legal in WI and statements of a party opponent are admissible as a heresy exception, I need to know if there is any issue I may run into if I try to play these tapes in court and use them as evidence against the other parent. Counsel on the other side is desperate to keep these recordings out of evidence, and is saying there may be some obscure language in the area of the wiretapping statutes that says it's not admissible. So I'm wanting research and a memo to tell me if anything in those particular statutes or anything else may stop me from admitting these recordings into evidence. They are recordings, some live and some on the phone, between the parents that one of the parents recorded without the other parent's knowledge.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Christian researched the issues and clearly cited the authority for his conclusions. Great communication; very responsive.

## PETITION FOR WRIT OF HABEAS CORPUS SUPPLEMENTAL PETITION

**FLAT FEE** **PROJECT DESCRIPTION**  
**\$1,000**

I need a supplemental habeas petition to add to a habeas petition that I already drafted and filed in the California Supreme Court.

I also need a motion for leave to file the supplemental habeas petition to be filed along with the habeas petition.

**PROJECT DETAILS**

This is a time sensitive project where I need someone who is available to work over the weekend.

A habeas petition has already been filed, but my client wants more claims added so I need someone to add the claims by way of a supplemental petition.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Paula is a highly skilled attorney that drafted a motion for me on short notice. Her work product was stellar and she was very responsive throughout the process.

She helped guide me through a difficult procedural scenario in a case and developed a great strategy that I could use. She exceeded my expectations beyond belief and I am extremely pleased.

## CRIMINAL HISTORY

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$120**

I need a memorandum summarizing an individual's criminal record as able to be determined via Wisconsin CCAP.

**PROJECT DETAILS**

I will provide a full name and date of birth for entry into the Wisconsin CCAP service. I would like a memorandum summarizing this individual's charges, dispositions and sentences with dates and other significant information along with verifying documentation.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Completed project as requested with relevant, helpful and concise detail. Look forward to working with Lindsey again.

## TEXAS SEARCH WARRANT RESEARCH

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$250**

DWI blood search warrant issue. DWI case. Person stopped for evading in a car. then they found he had two priors and decided to charge him with a third DWI.

Texas case in the Houston area. I prefer a Texas attorney.

**PROJECT DETAILS**

The search warrant does not have a time of stop. It only has a date for the warrant and a date and time the warrant was signed by the judge and the date and time the blood was drawn.

Does not having the actual time of arrest or time of driving in the four corners of the warrant make the warrant invalid.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Samantha, did a terrific job. I got an answer to a legal quandary I did not have time to research myself. She did a great job on short notice and an even shorter deadline. It was well researched and well documented with properly cited case law that I needed. She saved me a bundle of time and effort. Highly recommended.

## FEDERAL PETITION FOR WRIT OF HABEAS CORPUS

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$500**

I need someone to draft a federal petition for writ of habeas corpus.

I need someone to review the appellate briefing and convert the arguments into a federal petition for writ of habeas corpus.

No issue spotting is required. I just need you to recycle the arguments made in the lower appellate court, but to include federal case law.

**PROJECT DETAILS**

The review will include an Appellant's Opening Brief, Response, Reply, Opinion and Petition for Review.

I'll provide a sample template for a federal habeas petition and would greatly appreciate a ready to file brief with the tables completed, etc.

This client hired me at the eleventh hour and the statutory deadline is December 7, 2019 so I need someone who is confident that they can meet the deadline set for the project.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Elise did an excellent job drafting a petition. It was well written, persuasive, and flowed perfectly. She was responsive throughout the process and exceeded my expectations.

## JURY INSTRUCTIONS

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**FLAT FEE**  
**\$120**

### PROJECT DESCRIPTION

I need proposed jury instructions for a misdemeanor case.

### PROJECT DETAILS

Please provide proposed standard jury instructions to include the standard instructions given in all criminal cases as well as the specific standard instruction for this specific charge. All instructions requested are standard; I am not requesting anything to be specifically created for the facts of my case.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Fast and competent completion of a project that needed quick turn around.

## CRIMINAL RECORD MEMO

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**FLAT FEE**  
**\$240**

### PROJECT DESCRIPTION

I would like a memorandum and timeline listing an individual's criminal record and incarceration periods.  
I will specifically want a timeline showing when and where he was incarcerated.

### PROJECT DETAILS

I will provide identifying information for an individual and I am requesting research starting with a search of the website with additional follow up as necessary to determine the individual's criminal record and provide a memo outlining his criminal record and a timeline of periods of incarceration.

Additionally, please contact the institutions where he was incarcerated and determine specific dates of incarceration and provide an illustrative timeline showing when and where he was incarcerated.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Raymond completed this project as requested well ahead of the deadline and with additional follow up as requested. Communication was clear and concise. Appreciate the help and would select Raymond for future projects.

## BLOG ON MEDIA ACCESS CRIMINAL CASE BEFORE SJC BOOKING PHOTO EXEMPT

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**FLAT FEE**  
**\$150**

### PROJECT DESCRIPTION

Blog on a case before the Mass SJC on media access

Here is the link to the material

[http://ma-appellatecourts.org/?pdf=SJC-12690\\_02\\_Appellee\\_Boston\\_Globe\\_Media\\_Brief.pdf](http://ma-appellatecourts.org/?pdf=SJC-12690_02_Appellee_Boston_Globe_Media_Brief.pdf)

### PROJECT DETAILS

Requested a blog about 650 words on this case before the Mass SJC on media access to criminal records

### COMMENTS



#### EXCEEDED EXPECTATIONS

Very good analysis and writing on a difficult case. I would highly recommend Lauren.

## PERSONAL RESTRAINT PETITION REVIEW WASHINGTON STATE - AP

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$500**

I need a memorandum that articulates what issues my client could raise in a Washington State Personal Restraint Petition.

I'm providing a good template to use as a guide.

**PROJECT DETAILS**

The client plead guilty so the record is very limited. We're looking to see if there is anything we can do to contest his sentence, especially in light of his youth.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

The Lawclerk provided an excellent research memorandum, was responsive, and easy to work with.

## WITNESS LIST, PROPOSED QUESTIONS & EVIDENTIARY ISSUES SUMMARY - CRIMINAL DEFENSE

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$200**

Please provide a summary of evidence, discovery needed, and questions proposed for each witness.

**PROJECT DETAILS**

Please provide a summary of evidence, discovery needed, and questions proposed for each witness.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Outstanding in detail and insight in her work product. Very valuable and thorough assistance, as well as being prompt and professional!

## PERSONAL RESTRAINT PETITION - REVIEW

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$500**

I need a memorandum detailing what issues could be raised in a Personal Restraint Petition and why after reviewing the record and appellate briefing and Opinion.

I will provide a good template.

**PROJECT DETAILS**

The appellate briefing and opinion would be important to review and you can refer to the record. I don't expect you to review the full record. You can hopefully skip around based on what you find in the briefing.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Samuel did an excellent job drafting a research memorandum. He spotted some great issues for the brief, analyzed everything well and was responsive throughout the process.

## DRAFT MINNESOTA EXPUNGEMENT PAPERWORK

### FLAT FEE PROJECT DESCRIPTION

**\$150**

Draft 5 Expungement Documents Using Already-Drafted Templates.

### PROJECT DETAILS

Project Details:

1. Petition (2-3 pages)
  - Use client information to fill out Petition form
  - Must meet the requirements of 609A.03, subd. 2
  - Template satisfies these requirements
2. Memo (7-8 pages)
  - Use Petition information to draft memo using Template
  - Follow the Template, but feel free to get creative on arguments.
3. Proposed Order (2 pages)
  - The agencies listed in the proposed order should mirror those in the Aff of Service
4. Cert of Rep (1 page)
5. Affidavit of Service (1 page)
  - Make sure the prosecutor is correct using MNCIS; otherwise you can call the court to find out who the prosecutorial office is
  - City prosecutors for cases charged as M/GM
  - County atty's for felony charges
  - Make sure you have the right probation office
  - Agencies served should be mirrored on the proposed order

### COMMENTS



#### EXCEEDED EXPECTATIONS

Very prompt communication. Satisfied project requirements and got me the drafts very quickly (and ahead of schedule). Kerri also pointed out important details, as well as which items were still need from my end. Would be happy to work with Kerri again.

## DRAFT QUESTIONS FOR INVESTIGATOR INTERVIEW - CRIMINAL CASE

### FLAT FEE PROJECT DESCRIPTION

**\$350**

I need someone to review a client's testimony on direct and some information about a case and then help me draft interview questions for the investigator to use when conducting the interview.

### PROJECT DETAILS

There is a 43 page Opinion to review, 51 pages of a transcript of what the witness was asked on direct and a proffer agreement.

Please don't accept this project unless you're confident you can meet the tight timeline in this case.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Austin did an excellent job drafting the work product in a very short timeframe. He was easy to work with and very responsive.

## OBJECTIONS TO REPORT & RECOMMENDATION

### FLAT FEE PROJECT DESCRIPTION

**\$350**

I need someone to draft Objections to a Report and Recommendation resulting from a Federal Habeas Petition that the court denied.

### PROJECT DETAILS

The Report & Recommendation is only 5 pages (16 pages total, but substance is on the last 5 pages).

I will provide a good sample to use as a template.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Shane drafted a very well written brief that was persuasive and delivered on time. He was responsive throughout the process and easy to work with. He exceeded my expectations.

## MOTION TO SET ASIDE JUDGMENT OF CONVICTION

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**FLAT FEE**   **PROJECT DESCRIPTION**  
**\$100**

Client recently discovered a 1994 conviction for M4 Criminal Trespass. Client maintains that he was not the individual who entered the guilty plea in 94' and was never involved with the incident. He claims his identity was stolen. Typically I would be weary of a situation like this, but I tend to believe the client.

This was issued on a summons and someone signed for receipt of the certified mail. The individual pled out at arraignment.

**PROJECT DETAILS**

I'm looking for a sample motion to set aside the judgment of conviction and supporting research for grounds, burden of proof, etc. This conviction is now hindering the client on business financing.

The address and personal identifying information contained in the court file and on the complaint match the client's as of 94'.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Joseph took on a very unique research assignment and handled it promptly and on point.

## FEDERAL GUIDELINES - PLEA AGREEMENT REVIEW

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**FLAT FEE**   **PROJECT DESCRIPTION**  
**\$650**

I need to have a plea agreement reviewed for the range of punishment based on the counts to which the clients pleads guilty in the plea agreement. The focus is on the federal guideline range of punishment

**PROJECT DETAILS**

Client is going to plead guilty to three counts as indicated in the plea agreement. I will provide the plea agreement and the indictment. I will also provide the client's proffers to the government. I can also provide a copy of the guidelines, but they can be downloaded from the USSC.gov for free.

Also as an aside, I would like to know if she went to trial and lost if there is a significant difference in range of punishment.

Ignore criminal history as client has none and will be in criminal history category I.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

I have used Porsche on three separate research projects so far and she has done an outstanding job on each. The research and memos are spot on. She has saved me many man hours and a lot of money. I highly recommend her to anyone who needs legal research done. Lawclerk.legal is a Godsend to solo practioners.

## MOTION TO QUASH WARRANT AND SUPPRESS EVIDENCE

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**FLAT FEE**   **PROJECT DESCRIPTION**  
**\$250**

I need a motion to quash a warrant and suppress evidence.

**PROJECT DETAILS**

Provide a full motion to quash a warrant and suppress evidence (minus headings and signature). A full motion contains a memorandum of points and authority and an introduction and statement of facts. All case law must be relevant and on point for Arizona.

**COMMENTS**



**EXCEEDED EXPECTATIONS**

Impressed with his work. I provided him with brief instructions of what I wanted and portions of the discovery and he did the rest. Well done.

## MOTION TO DISMISS

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$400**

Motion to dismiss at this point based upon your work on a prior project.

### PROJECT DETAILS

See prior assignment. Court granted order to compel. Prosecutor did not respond.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Amazing help on the second part of a significant criminal project. Helped shape strategy and excellent writing.

## LETTER RE: RESTITUTION

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$120**

I need a letter to the circuit court judge outlining our position with legal and factual support to minimize my client's exposure to pay restitution in his criminal case.

### PROJECT DETAILS

My client has pled no contest and been found guilty of negligently discharging a firearm which caused damage to a neighbor's property in his home. The neighbor has submitted a restitution request to the court requesting that my client be required to pay.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Final product far exceeded my expectations. Statutory and case law support provided. Christian clearly reviewed the facts provided and appropriately referenced them in the final document.

## BLOG ON SEARCH RELATING TO THE SMELL OF MARIJUANA

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**FLAT FEE** **PROJECT DESCRIPTION**  
**\$150**

[http://ma-appellatecourts.org/?pdf=SJC-12694\\_01\\_Appellant\\_Long\\_Brief.pdf](http://ma-appellatecourts.org/?pdf=SJC-12694_01_Appellant_Long_Brief.pdf)

This is a blog on a case before the Massachusetts SJC about the smell of marijuana and right to search

### PROJECT DETAILS

Looking for a blog on this issue 650 words

### COMMENTS



#### EXCEEDED EXPECTATIONS

Anelise did a very good job on the writing assignment, finished it on time and was very insightful in her analysis.

## COERCED CONSENT MEMO

### FLAT FEE PROJECT DESCRIPTION

**\$350**

Need a legal memo that I can turn into a Response Brief on a criminal law search issue.

### PROJECT DETAILS

Client is stopped by Police, the officer says he smells marijuana and demands the client turn it over. Client denies and the officer tells him "bullshit" and demands he give the marijuana to him. Client eventually gives marijuana to the officer. I am arguing the situation and conduct of the officer coerced my client into voluntarily giving the marijuana to the officer. I will have available to the clerk that selects this project my bare bones Motion to Suppress, the Prosecutor's Response with his research, Westlaw's Quickcheck report of the Prosecutor's Response and a clip of the police video showing the interaction. Hopefully, this can help jumpstart the research. I would like a legal memo outlining the law and what cases best support my argument. I would like to turn the memo into my response to the prosecutor's brief.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Shane took on the assignment and communicated well with me. He listened to me and offered his suggestions too. I had asked for a legal memo, but upon reviewing the rough draft and liking the research, Shane volunteered to convert the draft to a finished responsive pleading. The area of law that Shane was working in was criminal law. He was great to work with and the finished pleading was excellent.

## MOTION FOR FINDING OF INNOCENCE BY A PREPONDERANCE OF THE EVIDENCE

### FLAT FEE PROJECT DESCRIPTION

**\$250**

I am looking for someone who has experience in the California State Criminal Courts and who is familiar with a petition for a Factual Finding of Innocence who can edit a drafted document. The formatting, typos and cites to the record must be right.

### PROJECT DETAILS

Editing a 32-page document for formatting, typos, and cites to the record.

### COMMENTS



#### EXCEEDED EXPECTATIONS

Skilled writer and on time completion.

## PLEA/PROBATION RESEARCH

### FLAT FEE PROJECT DESCRIPTION

**\$75**

Case Law for Stipulating to Intensive Probation in Plea Agreement

### PROJECT DETAILS

I need the case law in AZ that says I can or cannot stipulate to Intensive Probation in a Plea Agreement.

Recently, the prosecutor and I negotiated a felony plea agreement where the Defendant will do Intensive Probation (as opposed to standard probation). When we went to enter the plea to the court, the Judge rejected the plea and stated there is specific case law that does not allow a judge to do this. Judge said the case law says we cannot stipulate to Intensive Probation in a plea agreement, but that we are allowed to stipulate to Probation (in general, without specifying standard or intensive). Judge said the reason is because the Judge that sentences the Defendant a month after accepting the plea has the sole discretion as to whether they will require Standard or Intensive Probation. Thus, we cannot stipulate to Intensive Probation but can only stipulate to probation.

All I need is the case that says this.

### COMMENTS



#### EXCEEDED EXPECTATIONS

I provided very little guidance on a specific issue and the research she returned covered all of my questions and more. Well done.