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To the Hennings
(Eugene, Mildred, William, Phyllis, and Philip)
Peter J. Henning

To my wife, Patty, who makes life worthwhile;
my sister, Ellen, who taught me to read and write in the first place;
and my students, who give me more than I can ever say
Andrew Taslitz

To Shel, who makes everything possible
Margaret L. Paris

To the memory of my wonderful mother,
Ernestine C. Jones (1932-2004),
who continues to motivate and inspire me
Cynthia E. Jones

To all my students
Ellen S. Podgor

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Series Editor's Foreword

The Carolina Academic Press Mastering Series is designed to provide you with a tool that will enable you to easily and efficiently “master” the substance and content of law school courses. Throughout the series, the focus is on quality writing that makes legal concepts understandable. As a result, the series is designed to be easy to read and is not unduly cluttered with footnotes or cites to secondary sources.

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Russell L. Weaver
Professor of Law & Distinguished University Scholar
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Preface

It is difficult to synthesize all of criminal procedure in two volumes. One finds state and federal differences in procedure, and systems that constantly change as a result of new statutes, rules, and court interpretations. The authors hope that this overview of criminal procedure will offer students an accessible study guide in understanding this important subject. The book, however, is not intended to serve as a means for resolving a specific problem or case.

Volume Two examines constitutional and statutory procedural issues from the initiation of the criminal charge through the adjudication of guilt, and then post-conviction matters related to sentencing, appeal and collateral attack on a conviction. Volume One covers the major issues in criminal procedure during the investigative phase of a case involving the Fourth, Fifth, and Sixth Amendments, along with entrapment. Because the law is not stagnant, it is important to note in using the Mastering Criminal Procedure volumes that one needs to look to recent cases and legislative developments that may modify the existing law. Carolina Academic Press maintains a website for the Mastering Criminal Procedure books that you may wish to consult.

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