**CAUSATION**

**HYPO 1 - ACCELERATING A RESULT**

**D1 shoots V. At the same time, D2 shoots V. If D1’s shot to the heart was the only thing acting upon V, V would have died in 5 hours. If D2’s shot to the head was the only thing acting upon V, V would have died in 2 hours. Instead because of both shots, V dies in 5 minutes.**

**Answer: D1 is the Actual Cause of Death.**

**actual\_cause of\_death if BUT\_FOR == “no”**

**Doesn't matter if acceleration is for a really small amount of time. The result of this test is discrete.**

**HYPO 2 - CONCURRENT SUFFICIENT CAUSES**

**D1 shoots V in the heart. At the same time, D2 shoots V in the head.**

**If just D1’s shot, V would have died in one hour.**

**If just D2’s shot, V would have died in one hour.**

**V dies in one hour.**

**D1 but for = yes**

**D2 but for = yes**

**therefore => neither one is but for cause of death**

**SUBSTANTIAL FACTOR TEST**

**Under this test, D = an actual cause if D’s act was a substantial factor leading to the social harm.**

**MODIFIED BUT-FOR TEST**

**Some courts have adopted what is called the modified but-for test. Under this test, D is an actual cause if, but for D’s act, the social harm wouldn’t have occurred when *and as it did*.**

**Victim would have died from just one bullet wound.**

**VOLUNTARY HUMAN INTERVENTION**

**In some jurisdictions, if a voluntary and deliberate human intervention (like a voluntary decision not to seek medical attention) comes between D’s voluntary act and the social harm, D can be relieved of criminal liability.**

**DE MINIMIS CONTRIBUTION**

**One factor that courts sometimes rely upon is whether D’s act was a de minimis contribution to the social harm. If D’s act contributed minimally to the social harm, it’s unfair to hold D criminally liable.**

**INTENDED CONSEQUENCES DOCTRINE**

**Under this doctrine, if D achieved what s/he intended, it is fair and just to hold D criminally liable. If D commits a voluntary act with the intent to bring about a certain result, and that intended result occurs, courts are likely to say it is fair and just to hold D criminally liable even if the result didn’t come about in precisely the manner that D envisioned.**

**OMISSION**

**An omission will rarely serve as a superseding intervening cause.**