

**QUESTION 15 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK
V OR IN EXAMPLIFY ANSWER SCREEN 15**

Dan loaned his friend John \$5,000 so John could buy his girlfriend Pauline a diamond ring. John did not repay Dan. About three months after Dan made the loan, Dan was in a bar having a drink. Pauline came into the bar with her friend Gail and they sat at the bar. Pauline left her purse open on the bar and walked to the restroom. Gail went to the end of the bar, near the exit, to order drinks. Dan went up to the bar, looked into the open purse, saw a large amount of cash and the diamond ring John bought Pauline. Dan looked around, reached into the purse and took only the ring. Just then Pauline walked out of the restroom, saw Dan and yelled, "Get out of my purse." Dan looked at her and said, "Tell John to repay me and you can have the ring." Dan turned to leave the bar. Gail witnessed the event and tried to block Dan from leaving the bar by standing in front of him in the narrow aisle. Dan pushed Gail aside with his hands, causing her to lose her balance and spill the drinks, but she did not fall over. Dan left the bar with the ring. Pauline called the police. Dan was later arrested and charged with the crime of unarmed robbery.

Dan contends he cannot be charged with a crime because (a) he loaned John the money to buy the ring, (b) that he told Pauline he did not want to permanently keep it, and (c) he did not do anything that would be a robbery.

State and discuss the elements of the crime with which Dan has been charged. Is Dan correct in his claims? Give the supporting legal basis and factual reasons for your conclusions.

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