

**QUESTION 4 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK II**

In June of this year, Debbie Defendant walked into her local police department and offered to confess to murder. After being apprised of all of her constitutional rights, including her right to counsel, and her right against self-incrimination, and after making a full, complete, voluntary and knowing waiver of all of her constitutional rights, Debbie confessed to murdering her 82-yearold father in September 1992. Debbie claimed that she became tired of caring for her father, who resided with her. Debbie stated that after careful consideration of her situation, she decided to poison her father.

She confessed to stealing a lethal drug from a pharmacy at which she worked in 1992.

Then one evening in September 1992, she mixed the lethal drug into some warm milk that was consumed by her father. Her father died in his sleep shortly after drinking the milk. The county coroner arrived at Debbie's home the morning following her father's death.

The death certificate prepared in conjunction with her father's death indicated that death was the product of natural causes. No autopsy was performed and no photographs of the crime scene were taken. Debbie arranged for her father's body to be cremated.

Realizing that incarceration will not be pleasant, Debbie stopped talking to police. Thereafter, police obtained a valid warrant to search Debbie's home. The search of Debbie's home did not reveal the presence of any lethal drugs. The pharmacy at which Debbie worked closed in 1995, and no records remain from the pharmacy. Further, while the pharmacist who owned and operated the pharmacy recalled Debbie Defendant having worked for him, he had no record or recollection of any drugs that were not accounted for during Debbie's employment.

The local prosecutor charged Debbie with first-degree premeditated murder.

**Discuss the charge asserted against Debbie Defendant. Will the prosecutor be successful in the prosecution of Debbie Defendant? Explain your answer.**

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