

**STAR WARS**

**THE LAW AWAKENS**

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# **THE LAW AWAKENS**

**JEDI LAWYERS**

**FINN OR REY'S LIGHTSABER?**

**DEFENSE OF OTHERS**

**REBEL LAW**

**MEDICAL MALPRACTICE**

**DROID OWNERSHIP**

**EMPLOYEE SAFETY**

**TORTURE**

**SELF-DEFENSE**



# **LAWYERS LOVE STAR WARS**

**The Law is Strong with This One...**

# STAR WARS JUDICIAL QUOTES

**Age of Judges: 40s to 60s**

**A 46 year-old Judge was 9 years-old when Star Wars came out.**

***“In fact, on August 1, 2012 your tweets will be sent across the universe to a galaxy far, far away.”***

***People of the State of New York v. Malcolm Harris, Docket No. 2011NY080152 (N.Y. Crim. Ct. June 30, 2012).***



# JEDI JUDGES

***This attempted diversion—the legal equivalent of Obi-Wan Kenobi’s “These aren’t the droids you’re looking for,” see Star Wars Episode IV: A New Hope (Lucasfilm 1977)—is unavailing.***

*United States v. Stapleton*, 2013 U.S. Dist. LEXIS 108189, 23-24 (E.D. Ky. July 31, 2013).

***In addressing an accounting issue and net proceeds, the Seventh Circuit explained, “Size matters not, Yoda tells us. Nor does time.”***

*U.S. v. Hodge*, 558 F.3d 630, 632 (7th Cir. 2009).

# IS FINN OR REY THE LEGAL OWNER OF LUKE'S ORIGINAL LIGHTSABER?



# **TRACING THE LIGHTSABER OWNERSHIP HISTORY**

**Anakin: New lightsaber during Battle of Geonosis**

**Obi-Wan: Took lightsaber on Mustafar**

**Obi-Wan: Gave Luke lightsaber on Tatooine**

**Darth Vader cut off Luke's hand on Cloud City**

# OBI-WAN WAS RIGHT TO TAKE ANAKIN'S LIGHTSABER ON MUSTAFAR



Anakin Had Killed Younglings

Jedi Law Enforcement

Obi-Wan right to take dangerous weapon (Cal Pen Code §§ 245, 833, 18000 and 18005)

Alternate theory: Spoils of War

“Gift” to Luke



# **LOST ON CLOUD CITY**

**Lightsaber “Lost”**

**“Property that the owner no longer possesses because of accident, negligence, or carelessness, and that cannot be located by an ordinary, diligent search.” Black’s Law Dictionary iPad App**

**Abandonment?**

# WHAT DOES THIS MEAN FOR FINN AND REY?



# OBI-WAN KENOBI'S DEFENSE OF LUKE



# EMPIRE OF LAW

## STAR WARS REBELS

Rebel Scum!  
We Do  
Air Strikes on  
High Speed  
Chases!

**“All Trade Regulated through the Empire”**

**Fruit vendor charged with treason for not registering fruit**

**Military Conducts Law Enforcement**

**“Forced Labor” Camps**



# ANAKIN SKYWALKER KILLING SAND PEOPLE AFTER MOTHER'S DEATH

## Hate Crime?

(a) "Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- (1) Disability.
- (2) Gender.
- (3) Nationality.
- (4) Race or ethnicity.
- (5) Religion.
- (6) Sexual orientation.
- (7) Association with a person or group with one or more of these actual or perceived characteristics.

Cal Pen Code § 422.55



## Insanity Defense?

It is an affirmative defense to a prosecution under any Federal statute that, at the time of the commission of the acts constituting the offense, the defendant, **as a result of a severe mental disease or defect, was unable to appreciate the nature and quality or the wrongfulness of his acts.** Mental disease or defect does not otherwise constitute a defense.

18 USCS § 17(a)



**What About the  
Poor Younglings?**

**CRUFFY  
NERF  
HERDER  
LOOKING**

# **Did the Medical Droids Commit Medical Malpractice by Failing to Treat Anakin's Burns?**



# WHO OWNS R2-D2 & C-3PO?



**No, I AM Your  
MAker!**



OH DEAR.



# TRACING OWNERSHIP

**R2D2: Queen Amidala's state property on Naboo**

**R2D2 continues in Amidala's service as a Senator**

**C3PO: Built by Anakin Skywalker (as a child, while owned as a slave)**

**C3PO is left with Shmi Skywalker in slavery**



# **C3PO AS SEPARATE PROPERTY**

**C3PO was Shmi's personal property at her death.**

**Anakin probable owner, unless there was a will or prior transmutation of property to Cliegg Lars.**

**Droids would remain separate property of each spouse, unless gifted to other spouse.**

**Padme owned R2D2 until her death.**

# ALTERNATE THEORIES

**Anakin's battery of Padme caused her death, thus cutting off his rights to any of Padme's personal property or community property. (See, Cal Prob Code § 250, which prohibits someone who kills a descendant from inheriting under interest succession or a will).**



# **A NEW OWNER?**

**Senator Leia Organa had possession, custody and control of the Droids.**


**Leia exercised her property rights over R2D2 by sending him on the mission to find Obi Wan Kenobi.**



# IS AN ESCAPE POD A LIFE BOAT?

A “derelict vessel” is one that is abandoned and deserted. This can be by accident, necessity or voluntary actions, without hope of recovery.

*PAUL W. REISS, ET AL. v. ONE SCHAT-HARDING LIFEBOAT NO. 120776 # 1, ET AL., 2006 AMC 1401 (D.S.C. 2006), citing Rowe v. the Brig, 1 Mason 372, 20 F.Cas. 1281, 1282, No. 12,093 (C.C.Mass. 1818).*



An Escape Pod is a Lot  
Like a Lifeboat.  
The Jawas Might  
Have a Valid Claim.

# IS LUKE THE LEGAL OWNER?

JABBA THE HUTT  
Might Actually Be the **LAWFUL** Owner of  
R2D2 and C3PO?

**Valid sale to Owen?**

**Droids inherited by Luke?**

**Did Luke gift Droids to  
Jabba?**



# FORCING CONFESSIONS WITH TRUTH SERUM

## No Forced Confessions

“Revolting to the sense of justice”

You Do Not Know  
The True Power  
of Forcing Confessions!

Many Courts will not accept any truth serum results or expert testimony on serum results from expert witnesses, until such time as with a verifiable certainty that truth serum can be used to determine the truth.” *Harper v. State*, 249 G.2d 82)





**I Am Altering  
the Deal.**

## **VADER ON CONTRACTS**

***Consideration for Contract  
Modification Cannot be Threat of  
Duress or Coercion***



## EMPLOYEE SAFETY IN JABBA'S PALACE

An employer:

*(1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;*

*(2) shall comply with occupational safety and health standards promulgated under this Act.*

29 USCS § 654(a).



# JABBA'S TRAP DOOR




Floors with holes that “persons can accidentally walk” into (such as on a construction site) must be guarded by a railing or cover.

*W. C. Sivers Co. (1972) OSHRC Docket No. 239, 1973-1974  
CCH OSHD P 17792, 29 CFR 1926.500(b)(8).*

# THE PALACE GUARD & RANCOR

*Premises liability for property owners that know of dangerous free roaming wild animal (like an alligator). **The Landings Ass'n, Inc. v. Williams**, 736 S.E.2d 140 (Ga. Ct. App. 2012).*



What Do You Mean  
Assumption of Risk?

Rancor was imported to Tatooine to be used as an execution weapon in a pit.

Not free roaming, but purposely contained because it was dangerous.

**Highly foreseeable that the creature could accidentally eat the wrong person.**

# INDEPENDENT CONTRACTOR & THE SARLACC PIT

**Boba Fett: Bounty Hunter, thus Independent Contractor**

**Jabba's Barge: Similar to Oil Rig**

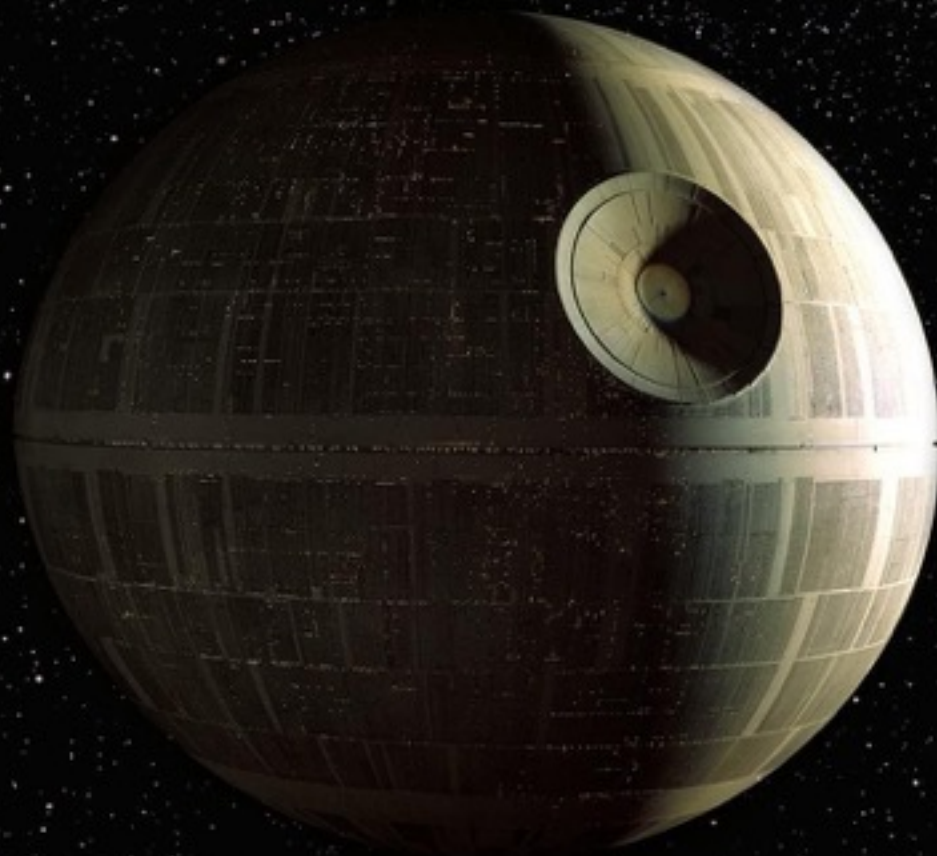
**Independent contractors are viewed as business invitees.**

**Jabba had a general duty to "provide an independent contractor with a reasonably safe work environment or give warning of danger."**

Jabba as a premises owner was **not**, "an insurer of the [independent contractor's] safety."

Boba knew the risks of being a bounty hunter.





# **EMPLOYEE SAFETY**

**Death Star**



# WHERE ARE THE HAND RAILS?

The Exhaust Port was Not the Only Design Defect



# CAN DROIDS BE TORTURED?



*Every person who, with the intent to cause cruel or extreme pain and suffering for the purpose of revenge, extortion, persuasion, or for any sadistic purpose, inflicts great bodily injury as defined in Section 12022.7 upon the person of another, is guilty of torture.*

*The crime of torture does not require any proof that the victim suffered pain.*

Cal Pen Code § 206.

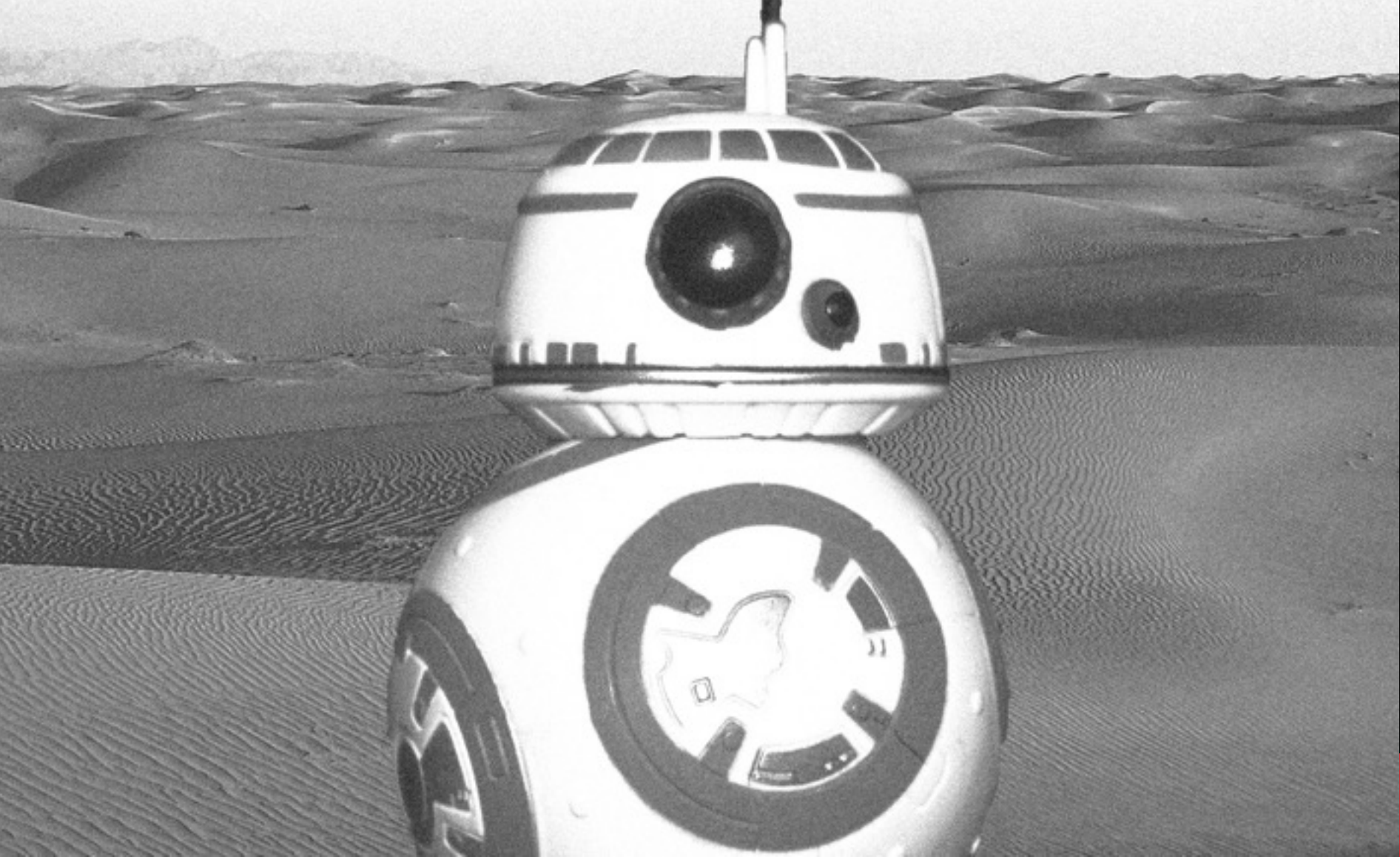


# WHY DO DROIDS HAVE FEELINGS?

Is a Droid like an “animal”

Can torturing a Droid be prosecuted like cruelty to animals?





## **BB-8 COME HOME**

**Did Poe Lose His Ownership Interest in BB-8?**

# PRISON TIME FOR JYN ERSO

**Forgery of Imperial documents: 1 Year (Pen. Code, § 473); 25 Years if falsified passport for Terrorism (18 U.S.C. § 1543)**

**Possession of stolen property:  
Possibly 20 years**

**Aggravated assault: At least 14 (18 U.S.C. app. § 2A2.2)**

**Resisting Arrest: 2, 3, or 4 Years**





# **DESECRATION OF VADER'S CORPSE**

**Kylo Ren Needs Therapy**

# WAS ANAKIN'S SKULL IN THE HELMET?



**Grandfather was One  
with the Force.**

## **Unlawful Handling of Remains**

Every person who willfully mutilates, disinters, removes from the place of interment... any remains known to be human, without authority of law, is guilty of a felony.

Health & Saf. Code, § 7052(a)

# GREEDO NEVER SHOT



I Should  
Have Been  
a Nerf Herder

**#HanWasRight**

# SELF-DEFENSE

Self-defense requires that a person, “where from the nature of the attack, *the assailed person believes*, on reasonable grounds, that he is in *imminent danger of losing his life* or of receiving great bodily harm from his assailant, *he is not bound to retreat*, but may stand his ground, and, if necessary for his own protection, *may take the life of his adversary.*”

*People v. Zuckerman*, 56 Cal. App. 2d 366, 374 (Cal. App.1942).



HAN  
SHOT  
FIRST

# OVER MY DEAD BODY!

**That's the idea...  
I've been looking forward  
to this for a long time.**

**Yeah, I'll bet you have.**





**THANK YOU**

**The Law Will Be with You.  
Always.**