

SAMPLE BRIEF

Gray (cop) v. Martino (crime victim)

Procedural History

- Cop sues for reward money.
- District court awards money to the cop.
- Defendant appeals.

Issue

At the time the contract was formed, was the plaintiff acting as a police officer charged with a legal duty to catch criminals without further reward?

Facts

- Plaintiff makes a verbal contract with defendant. In return for \$500, plaintiff will find defendant's stolen jewels.
- Plaintiff had knowledge of whereabouts of jewels at contract formation.
- Plaintiff is a special police officer and has dealings with prosecutor's office.
- Defendant published advertisement for reward.
- Plaintiff finds stolen goods and arranges return.

Rule of Law

1. A public officer cannot demand or receive remuneration or a reward for carrying out the duty of his job as a matter of public policy and morality
2. However, it is not against public policy for a police officer to receive a reward in performance of his legal duty if the legislature passes a statute giving the reward to the public at large in furtherance of some public policy - such as preventing treason against the US.

Reasoning

- Court finds sufficient evidence to characterize this fellow as a public official.
- His interaction with the prosecutor's office weighed in as a factor in suggesting he had a legal duty.
- Since he is characterized within the rule as a public official, he cannot, as a matter of law, receive a reward for the performance of his duties.

Holding

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G Thomas



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