

PMBA 625b Sample Test Questions

1. Which of the following is not specifically addressed by the United States Constitution?
 - a. The creation of the United States Supreme Court.
 - b. The creation of a bicameral legislative body.
 - c. The authority of Congress to regulate interstate commerce.
 - d. The creation of the United States Patent Office.

2. In a criminal case, the burden of proof is
 - a. on the plaintiff, and is beyond a shadow of a doubt.
 - b. on the prosecution, and is beyond a reasonable doubt.
 - c. on the defendant, and is by a preponderance of the evidence.
 - d. None of these is correct.

3. Billy Blaine, a resident of New York, drives his automobile on vacation to Florida. While driving through Georgia, he is involved in a car accident with Martin Cobb, a resident of Georgia, and Jessica DeWitt, a resident of Alabama. Cobb and DeWitt sue Blaine for \$100,000 for physical and property damages in federal district court in Georgia. Does the district court have subject matter jurisdiction over this case? Why or why not?

4. Using the same facts as in the previous question, if Cobb were to sue Blaine in a state court in Georgia, would the court have personal jurisdiction over Blaine? Why or why not?

5. Steve Sella, a resident of Maine, sells a car to Billy Byer, a resident of Idaho, for several thousand dollars on eBay. Byer is not happy with the car and believes that there were some misstatements in the car's description on eBay. If Byer brings suit in an appropriate state court in Idaho, would the court have personal jurisdiction over Sella? Why or why not?

6. In *Washington v. Glucksberg* (the Supreme Court case that addressed the constitutionality of criminal bans against assisted suicide), one of the justices referred to the "laboratory of the states." What does that reference mean and how was it relevant to our class discussion?