

**Criminal Law  
Lecture 29 Study Guide**

**Describe the actus reus element of *Theft of Motor Fuel* (§5-36-120):**

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**Describe the mens rea element of *Theft of Motor Fuel* (§5-36-120):**

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**Describe the punishment scheme for *Theft of Motor Fuel* (§5-36-120):**

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**A person commits theft of public benefits if he obtains or retains public benefits from the Department of Human Services or any other state agency administering the distribution of such benefits in any of the following ways:**

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**According to the *Theft of Public Benefits* statute, what act constitutes *prima facie* evidence of intent to commit theft of public benefits?**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Theft of public benefits is a Class \_\_\_\_\_ felony if the value of the public benefit is two thousand five hundred dollars (\$ 2,500) or more.**

**Theft of public benefits is a Class \_\_\_\_\_ felony if the value of the public benefit is less than two thousand five hundred dollars (\$ 2,500) but more than two hundred dollars (\$ 200).**

**Theft of public benefits is a Class \_\_\_\_\_ misdemeanor if the value of the public benefit is two hundred dollars (\$ 200) or less.**

**According to the Arkansas Forgery statute,**

**A person forges a written instrument if with \_\_\_\_\_**

**to defraud he**

**1. \_\_\_\_\_**

**2. \_\_\_\_\_**

**3. \_\_\_\_\_**

**4. \_\_\_\_\_**

**5. \_\_\_\_\_**

**6. \_\_\_\_\_**

**7. \_\_\_\_\_ , or**

**8. \_\_\_\_\_**

any written instrument that purports to be or is calculated to become or to represent if completed the act of a person who did not authorize that act.

A person commits *Forgery in the First Degree* if he forges a written instrument that is:

\_\_\_\_\_, a security, a \_\_\_\_\_ or revenue stamp, or other instrument issued by a government

A \_\_\_\_\_, \_\_\_\_\_, or similar instrument representing an interest in property or a claim against a corporation or its property.

A person commits *Forgery in the Second Degree* if he forges a written instrument that is:

- A deed, will, codicil, contract, assignment, check, commercial instrument, credit card, or other written instrument that does or may evidence, create, transfer, terminate, or otherwise affect a legal right, interest, obligation, or status
- A public record, or an instrument filed or required by law to be filed, or one legally entitled to be filed in a public office or with a public servant
- A written instrument officially issued or created by a public office, public servant, or government agent

Forgery in the first degree is a Class \_\_\_\_\_ felony.

Forgery in the second degree is a Class \_\_\_\_\_ felony.

A person commits the offense of *Fraudulent Use of a Credit Card* or debit card if, with

\_\_\_\_\_ to defraud, he or she uses a credit card, credit card account number, debit card, or debit card account number to obtain property or services with knowledge of any of the following:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Describe the Punishment Scheme for *Fraudulent Use of a Credit Card or Debit Card* (§5-37-207):

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A person commits *Criminal Impersonation 1st* (§5-37-208) if, with the \_\_\_\_\_ to induce a person to submit to pretended official authority for the purpose to injure or defraud the person, he:

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_

What is the punishment for *First Degree Criminal Impersonation*?

\_\_\_\_\_

A person commits *Criminal Impersonation in the Second Degree* if he does an act in his pretended or assumed capacity or character with the purpose to injure or defraud another person and he:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

What is the punishment for *Criminal Impersonation in the Second Degree*?

\_\_\_\_\_

A person commits *Criminal Possession of a Forgery Device* if he

1. \_\_\_\_\_ or
2. \_\_\_\_\_

any device capable of or adaptable to a use in forging written instruments with the purpose to use it himself, or to aid or permit another to use it, to commit forgery.

What is the punishment for *Criminal Possession of a Forgery Device*?

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