

Vol.53, Pg. 1

LEGAL BYTES FROM CHARLIE

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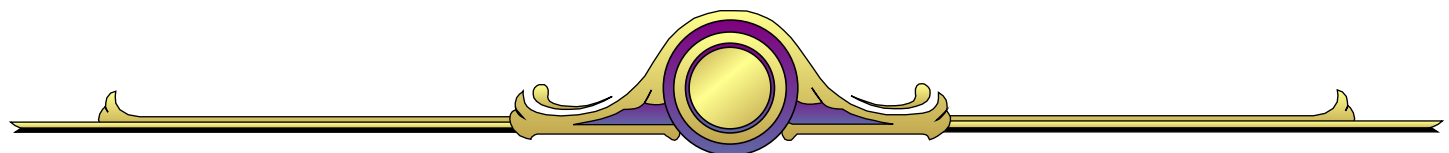
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Dear Friend:

There are good laws and there are bad laws; there are good court decisions and bad court decisions. Some of the decisions are not only bad but are humorous as well. For instance, Michael Tafoya had an argument with his estranged wife. She used her cordless phone to call her mother. Mr. Tafoya knocked the phone out of her hand. When Mrs. Tafoya found the phone, the battery was missing. Her husband admitted removing the battery from the phone. Mr. Tafoya was tried and convicted of obstructing a telephone line or apparatus. A District Court of Appeal upheld the conviction. How silly can you get? Why was the taxpayers' money used for prosecuting a case like that? Apparently, the appellate court had second thoughts because on July 3, 2001, it granted a rehearing. Perhaps the wrong crime was charged. Maybe the District Attorney should have charged the husband with some type of domestic violence.

DID YOU KNOW?

- You can't record a telephone conversation without the consent of the other party. However, if someone else happens to be listening on an extension line, that is okay.
- The controversy about eavesdropping often boils around our constitutional right to privacy. I suggest that in the days ahead there will be dramatic changes, and dramatic controversies, on these subjects because of the fear created by terrorist acts.
- If you make an invention and intentionally make it public, anyone may reproduce the invention without paying you anything.
- A gift to one's fiancé in the belief that a marriage will take place can be recovered if the fiancé refuses to go through with the ceremony.



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- ➔ There are a number of laws which say that a Good Samaritan shall not be liable for anything that goes wrong when helping the victim of an accident or crime. However, if the person giving the help expects to be paid, he is not a Good Samaritan and is liable for the results of any negligent conduct on his part.

MAXIM OF THE DAY

Today's maxim of jurisprudence from the California Civil Code is, "**No one should suffer by the act of another.**" (CC 3520)

The maxim pretty well describes my law practice. I represent persons who have been injured by the act of another. I thank you again for your continued support and referral of your friends and relatives who may have suffered an injury, physical or emotional, at the hands of another.

Regards,

Charlie

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