

Jennings and armington

Law, Justice



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Armington, while robbing a drugstore, shot and seriously injured Jennings, a drugstore clerk. Armington was subsequently convicted in a criminal trial of armed robbery, assault and battery. Jennings later brought a civil tort suit against Armington for damages. Armington contended that he could not be tried again for the same crime, as that would constitute double jeopardy, which is prohibited in the Fifth Amendment to the constitution. In this situation, Armington is incorrect about the double jeopardy law and he should accept responsibility for what he did.

The Fifth Amendment offers certain protection to the defendant but the law must maintain fairness and consistency. According to the text, the Fifth Amendment does not allow a person to be tried twice for the same crime. In other words, if a person faces trial for a crime and is found not guilty and later on new evidence is discovered to link the person to the crime, they cannot stand trial a second time. Double jeopardy does not prohibit damages entitled to the victim in a civil suit.

A civil tort suit occurs when someone has been hurt so the law allows them to seek compensation. Based on the scenario, Jennings deserves compensation because of the damages she sustained, suffered and endured. Since Jennings had a serious injury because of the intentional act committed by Armington, she should be able to receive compensation for her injuries.

References * Miller, L. R. & Jentz, G. A. (2010). Fundamentals of business law: Summarized cases (8th Edition). Ohio: Cengage Learning

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