

Introduction

This paper is a legal analysis paper with the main discretion of the court jurisdiction of various cases of criminal nature. In making this analysis, the paper is based on a case study involving three convicts that are accused of being involved in the illegal drug business. As such the paper brings out the application of the law to these situations. The three individuals involved are in one way or the other connected in their drug dealing activities.

Background

Considering that Wichita is one of the areas in the US that is notoriously associated with the trafficking of hard drugs, there is need for proper prosecution and well laid charges against the three suspects. As such the reason for prosecuting as far as the prosecuting bench is concerned needs to work in a manner to ensure that the suspects don't go scot free due to would be avoided reasons. In these three cases we have two options to put into consideration, these are the Federal courts and the District courts given that there is no case to be filled that is of Appellate nature. In considering these cases, the federal courts have a wider jurisdiction over various states and not just one state. This makes it to have limited jurisdiction if any in this cases.

Case Analysis

Jones's Case;

Jones case is a very complex one considering that he is involved in the three cases. Being an informant also contradicts the issue as his cooperation is seen as a way of acknowledging that what he has done is wrong and is ready to provide some room for reform. All the cases can only be brought to positive conclusion due to the cooperation that Jones has given the detectives. The choice for the court should also put in mind that this is not his fast contact with the authorities over drugs as he has been previously found in possession of the drugs.

The case involving Jones is a very simple yet clear case. By the fact that he has accepted to be our informant points to a situation of accepting that he is actually guilty though this is in actions. Bearing in mind that he has had previous cases on the same subject-drugs, this is a pointer out to lack of initiative to embrace reform. This would call for more stringent action against him by the Federal courts. However his cooperation with the authorities will be handled as a way of instant reform and therefore I would recommend that he be charged in a district court.

The fact that he has been an informant in the various cases involving drug trafficking, calls for close monitoring to ensure that all the networks that he had in dealing with drugs are identified and destroyed. I am not for the idea of taking his case to the City of Wichita as this is likely to bring up the two cases of drug trafficking hence landing him to a harsher penalty. Changing the criminal charge to Drug Paraphernalia from possession of Cocaine would work well for our investigations as this would give him a lighter charge and he would therefore be willing to divulge more information on drugs as he knows his case would not have that harsh a penalty.

However much we try to lessen the penalty that will be on Jones due to the fact that he has been our informant, we should put in mind that he needs to turn to reform and ensure that he does not get

back to drug trafficking. This is due to the mere fact that he's been previously involved in drug trafficking. As such a disciplinary legal action should be taken against him.

Smith's Case:

The case that involves Smith's dealings with drugs is a very complex one, this is due to the fact that his dealings are quite hidden to the level that it took time to be able find some concrete evidence that he actually deals with drugs. Nothing so far has shown that he deals with drugs sale on a wide scale as the evidences only show that he tends to sell the drugs to his friends. The most difficult situation that should not be allowed is allowing Smith to testify against his friend.

From the analysis of the case involving Smith to the drug net, I would have wished that the case be done in the federal court but a number of factors make me to recommend that he be taken to a district court. Investigations indicate that he actually has been selling drugs to his friends and acquaintances. This is actually an indicator that he has not been doing the drug business on a large-scale. The geographical area covered by the impact that he could be distributing drugs is only limited to his state of residence. The only thing that complicates the matter is that he seems to be very secretive with his dealings hence dealing with his case at the federal court may not bare much fruit as concrete evidence needs to be brought up against him this is where the undercover agents come in handy. I would recommend that in filling the case against him, the evidence given should be solely be from the undercover agents and not Jones'

The Federal courts are actually meant to deal with cases that have grave findings with a wide range effect on the population, this is yet to be established as Smith has never been involved in prior cases that are of drug trafficking are possession of drugs. There is need for more investigations concerning his case and so handling his case at the federal court may not bare much fruit. He is more likely to plead guilty to charges brought against him in the District court than in the federal courts.

Thompsons Case:

Thompson's case is not a complex one. This is due to the fact that there is quite enough evidence (article) that can be used in the suit against him. As far as are the details of Thompson, there is quite enough tips to tell us that he is a hardcore criminal that requires maximum sentence that is consume rate to the evidence that will be brought against him. The careless handling of the drug paraphernalia in itself is clear pointer to how easy it is to get the evidence brought to the court. However, the mention of the firearms issue raises a lot of questions as to which activity does he engages in.

The fact that he displays large quantities of cash is a good indicator that he indeed is involved in large syndicate involving drugs. Such large amounts of drugs can not be handled by just a few people considering the risk invcolved.This is not a threat to Thompson only as a person or the people of Wichita but a threat to the whole of the United States. This makes this case to be taken and looked at from a national level. As such I would insist that harsh charges should be taken against Thompson. Ho0wever from a logical and a legal point of view the prosecution of Thomson would turn out against us if his friend Jones is to be a witness in the case yet he is a friend of Thompson and at the same time we are not sure if Jones was a convict to the earlier two cases.

Use of Jones as an informant makes this case a complicated one. Given that the two are friends ,they are likely to have known so much about each other and that on conviction, Jones has had two drug

related cases and hence the judges are likely to take a tough stance on Jones were he to come to testify against his friend. Thompson is also likely to bring up another case that is likely to throw our informant into more trouble. Possession of firearms in itself quantifies this assumption of the involvement of so many people in the case. By calling Jones to testify against his friend would sum up to breaking their relations which would not be quite a good idea hence the privacy Act will be applied in this matter.

The fact that the undercover officers found out that he may be having quite a number of firearms in his house points out to the possibility of Thompson engaging in activities such as burglary so he can be charged with illegal possession of firearms alongside that of drug trafficking. The combination of these two cases quantifies the case to be dealt with by the federal courts. However for the sake of Jones, our informant, the suit involving possession of illegal firearms can be filled separately so as to bring out less follow up of the prior cases that Jones got involved in.

After The consideration of the above situation surrounding these cases I find that filling this case (Thompson's) in the District Court under the state law would be better and therefore recommend this court. I also recommend that the maximum charge in the District court be brought against him. This is due to the fact that the suspect is thought to be handling these drugs within the precincts of his compound and the likelihood that he has been selling the products to other states is very minimal. The handling of this case by the District court would enable more revelations on the supplier to Thompson to be well known.

Conclusion

The above cases that happen to be related provide a basis for the analysis of the American law in trying to find out its relevance when applied to real situations. Other than the application of law, we find out that a lot of logic has to be applied by the prosecuting authority in trying to ensure that the would be criminals do not walk scot free due to poor basis for prosecution or wrong choice of the court. Without the application of logic, the defendants might easily find room for escaping the harsh yet the correct verdict of such cases.

These cases also bring out clear cut lines on the jurisdiction of the various cases in the United States of America. The nature of the case and the location of the crime are important for the determination of the court whose jurisdiction covers a given case. The federal courts have a much wider jurisdiction than the district courts.

References

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