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Instructor Name

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Reflection Paper; Holloway v. the United States

In the case of Holloway v. the United States, I do agree with the court's interpretation of the facts because the defendant had a gun and said would use it if he faced resistance from the victim. The phrase in question held by courts is whether he had the intent to cause bodily harm or kill or was it merely an unconditional intent. The courts found that the statutes concerning intent did not distinguish between the conditional and unconditional intent. It was also presumed when the Congress undertook the statute for carjacking they addressed the issue of intent under ‘specific intent; making it conditional to committing a wrongful act.

The government prosecution delivered that the intent to harm remained conditional since it was not used as an element in the carjacking. The prosecution had to prove to the court with substantial evidence that intention to carry out the crime was conditioned with the specific intent of using violence. Hence it was not vital that the defendant intended to kill or harm the victim, the central idea remained whether the violence or use of force led to carjacking or not. Moreover, the defendant also carried a gun with the intent to use it if the victim had denied. He would have injured or killed him. The defendant’s plea of unconditional intent hence remains unconditional as it would defy the interpretation and the essence of the statute that the Congress dreaded would befall.

The correct interpretation of conditional intent could be comprehended from Model Penal Code 2.02(6), which suggests that a particular purpose in an element of an offense is considered conditional in an event when the element is established however the purpose remains conditional. Using empty or bluff threats, terrifying the victim; though with no intention to go through with them still satisfies and establishes the element without the specific intent of the defendant. Hence it is rightly decided by the jurors and the court that the defendant committed carjacking with use of force and a specified intent to use the gun conditioned to resistance from the victim.