Legal Skills I Fall 2025
Professor Jones, Sections 1C and 22C

Discussion Section of a Memo #2 Assignment

Instructions

For this assignment, I have provided the research. However, unlike the last assignment, you must sort the "closed universe." You choose which mandatory primary sources you'll write about. Consider jurisdiction and court hierarchy (citation skills become really helpful) and cases that approximate the assignment's fact pattern. Read the Westlaw/Lexis/Bloomberg case synopsis/syllabus, headnotes, and other annotated material that can make your sorting more efficient.

You should not use primary persuasive authority for this assignment because mandatory primary authority exists. The prior assignment concerned a "matter of first impression" for the U.S. District Court for the Southern District of California and the federal 9th Circuit; persuasive primary precedent was the only option. Again, you must use mandatory primary authority. Secondary sources cannot build a rule statement, but they can help further explanations, for example statute explanations.

The fact pattern presents many potential issues, but this assignment only considers two. Assume that I assigned another associate for the other issues.

I. Was Lisa "addicted" when the officer arrested her for DUI?

II. Was Lisa's fancy skateboard a "vehicle"?

Of course, you will state those issues with much more detail and eloquence, not exceeding 35 words each. Otherwise maintain your commitment for sentences with fewer than 25 words.

The new memo parts for this assignment:

1. Issue statements
2. Overall Conclusion
3. Umbrella/overall summary section that appears after the label "Discussion" but before the point-heading for the first issue.
4. Point-headings for each issue

Follow our usual typography requirements. Please see the newly created *LS I Law Firm Style Guide*.

The Canvas assignment has a checklist and a template.

Deadline September 21, 2025 at 5pm

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MEMO

To: 1L Associates
From: Joshua Aaron Jones, Partner
Date: September 16, 2025
Re: Lisa Alvarez – Skateboarding DUI – defining "addicted" and "vehicle"

Associate,

Thank you for the Alvarez memo. Next week, I will meet with her and discuss your prediction, and I'll explain her options and will help her decide about proceeding with a Title VII claim.

While scheduling next week's appointment, Ms. Alvarez shared that she was arrested for DUI last week. She met up with friends for drinks at Pacific Beach, but – and this is important - Ms. Alvarez doesn't drink. She always orders an non-alcohol beer or a mocktail. Ever the adventurer and techy, Lisa recently revived her passion for skateboarding and bought Boosted's Evolve Fusion skateboard. Coming and going from Pacific Beach that day, she used her fancy skateboard - sober.

Some back story - After her escape from sex traffickers, Ms. Alvarez battled post-traumatic stress, depression, anxiety, and substance abuse. She became an addict, but eventually, Lisa voluntarily completed a 90-day rehab program. She's been sober for several years, and she volunteers with a few sobriety groups and attends regular meetings. Like many recovered addicts, she considers herself "always an addict," although she does not use drugs or alcohol today. Ms. Alvarez explained that, in her opinion, no one is ever truly "recovered" from drug and alcohol abuse; rather, former

addicts manage a life-long condition. This is one school of thought on addiction and recovery, propagated by groups like Alcoholics Anonymous and Narcotics Anonymous. As she explained, it really doesn't matter what philosophy a substance abuser follows for recovery, what matters is a commitment to abstinence and daily self-care that helps the addict manage triggers. She describes herself as a "non-using addict."

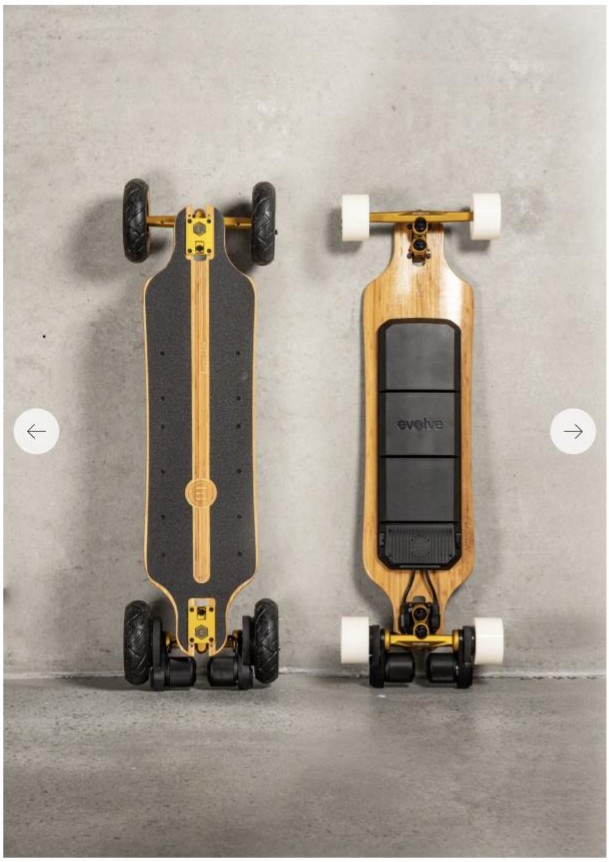
The officer who arrested her for DUI, Eric Maples, had arrested Lisa a few times during her dark period of substance abuse. He knew about her drug and alcohol addictions. With that history, he charged her not with driving while intoxicated but with driving as an addict, under Cal. Veh. Code § 23152(c). Yes! California prohibits addicts from driving. An addict, even while sober, cannot drive a car. But is Ms. Alvarez an addict? Despite her self-description, she's been sober for years. And a skateboard? Gimme a break.

This seems like a slam dunk case, but please write a memo that addresses these two issues: define "addict" under § 23152(c) and define "vehicle" under the same statute? I've put together some broad research, but you choose what you'll use. I'm pretty sure I've provided enough relevant, controlling law, and I trust your professional judgment but will double-check your work. Make wise choices – consider court hierarchy, jurisdiction, similarity of facts, etc. Obviously, you must use § 23152 and other relevant statutes.

I need this by September 26 at 5pm.

I shared a research folder via Westlaw. You should have received an email on September 15 from Westlaw. If you did not, let me know right away.

Here is a pic of the Boosted skateboard as well as a YouTube demo:



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