You Decide

9.2 John L. Clough discovered various items missing from his music club. These items included four amplifier speakers, which were used by bands that played at the club. An employee, Gaylord Burton, worked at the club for several months and disappeared at the same time that the speakers were discovered to be missing. An employee reportedly had seen Burton taking the speakers on the morning of November 2, 1989. The equipment later was discovered at a pawnshop. An employee of the pawnshop, Anthony Smith, testified that two men had tried to pawn the speakers. Smith refused to accept the speakers without identification. The two men returned later with Olga Lee Sonnier, who presented a driver's license and pawned the speakers for $225. The four speakers were worth at least $350. Sonnier appealed her conviction for "theft by receiving." There are three elements of this offense: first, a theft by another person. Second, the defendant received the stolen property. Third, the defendant received the stolen property knowing that it was stolen. Was Sonnier in possession of the speakers? Sonnier also claimed that she lacked actual knowledge that the speakers were stolen. The speakers were pawned for a reasonable amount of money, and a reasonable person would have no notion of the monetary value of the speakers. Should the Texas appellate court affirm Sonnier's conviction? See *Sonnier v. State,* 849 S.W.2d 828 (Tex. App. 1992).

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