

Caudle v. Betts – Text problem

Facts: Summarize the facts

Cause of Action: Battery and Assault

History: none

BATTERY

Issue: Did a battery take place when Betts shocked Caudle on his neck?

Rule: Battery is the intentional harmful or offensive touch to another person or something closely associated to the person, causing injury.

Application

Plaintiff (Caudle): Betts's shock to my neck was **intentional** because he knew the condenser caused an electrical shock when touched. He knew this because he had been playing with the other employees who were tossing the condenser and shocking each other. Betts action was voluntary and deliberate, as he admitted it was horseplay. **Intent** to cause harm is not required to establish a battery, thus even though he was playing and did not expect more than a slight shock, Betts is responsible for the consequences of his action.

Betts did more than toss the condenser to me, as he had done with other employees. He shocked the back of my neck instead, which was **harmful** because it caused me to have a headache. As a result of the shock, I had additional physical pain which required surgery. I continue to suffer from numbness after surgery.

Defendant (Betts): I did not **intend** to cause harm to Caudle because the condenser caused only a slight shock to others and it was horseplay.

Conclusion: The elements of battery are established. Betts did not need to intend to harm Caudle to be responsible for the tort.

ASSAULT

Issue: Did assault take place when Betts chased Caudle with the condenser?

Rule: Assault is intentionally putting a person in anticipation of an immediate battery, causing injury.

Application

Plaintiff: After Betts shocked me, he continued the "horseplay" by chasing me while holding the condenser. He deliberately wanted me to think that he would shock my body again; thus establishing **intent**. As a reasonable person, I **anticipated** another immediate harmful shock and ran away, eventually locking myself in a room to avoid the harm. The **injury** from the assault was mental pain.

Conclusion: Assault is established.