# Common Defenses to Weaken a Criminal Charge

by Jooseppi Arendonk

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Being charged with a criminal offense may instantly dent a person's character or reputation. Fortunately, the common law allows anyone to defend himself, clear his name from charges, and live a normal life again. Like how the same law allows the prosecutor to provide evidence for his complaint, the defendant has the right to provide evidence that will prove his innocence.

The ultimate goal of a defendant is to avoid criminal or civil liabilities. After raising the defense, the defendant holds the burden of proof, a condition in which the prosecutor does not have the obligation to prove the counter allegation wrong. For instance, if the defendant argues that the crime was committed due to incitement or provocation, the defendant must present proof that the prosecutor did provoke him to commit the crime, not the prosecutor proving that he did not. The prosecutor in this condition is considered carrying the benefit of presumption.

There are a number of defenses that a defendant may raise to limit or totally avoid any liabilities concerning charges filed against him. A good example is the lack of subject-matter jurisdiction of the court toward the case. This means that the court does not have authority to hear cases of a particular type or cases relating to a specific subject matter.

Failure to state a "cause of action" is also a strong form of defense that may weaken the case to totally end it in the defendant's favor. A cause of action refers to the set of facts presented by the prosecutor to prove his claim against the defendant. It provides the prosecutor the right to sue the defendant or obtain compensation of any kind for the alleged damages.

If the prosecutor filed the case later than the time set by laws, the defendant may raise a defense regarding this occurrence. Statute of limitations is the enactment that sets the maximum time for a complaint to be filed. Jackson, the most populous city in Mississippi, is home to skilled criminal defense lawyers who can help their clients get away with liabilities using this ground. Attorneys in Jackson MS may also present a similar type of defense called statute of frauds when the case involves contracts.

A criminal defense attorney Jackson MS defendants prefer may also help their clients by proving that the prosecutor provided consent for the crime. Meaning, the prosecutor agreed to be placed in a situation in which he can be harmed. The same action can be done when the allegation arose from illegality.

More information about criminal defense like what Jackson MS attorneys handle can be found in HG.org. This website provides helpful information about the law and its implications.

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Jooseppi Arendonk - About Author:
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