

**14-1683. Fraudulent transfer of a credit card; essential elements.**

For you to find the defendant guilty of fraudulent transfer of a credit card [as charged in Count \_\_\_\_\_]<sup>1</sup>, the state must prove to your satisfaction beyond a reasonable doubt each of the following elements of the crime:

1. The defendant transferred possession<sup>2</sup> of a credit card<sup>3</sup> to a person other than the cardholder<sup>3</sup>;
2. The defendant intended to deceive or cheat;
3. The defendant was not the issuer<sup>3</sup> or an authorized agent of the issuer;
4. This happened in New Mexico on or about the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**USE NOTES**

1. Insert the count number if more than one count is charged.
2. UJI 14-130, "Possession" defined, is to be given if the question of possession is in issue.
3. If the jury requests a definition of "credit card," "cardholder" or "issuer," the statutory definition set forth in Section 30-16-25 NMSA 1978 is to be given.