

**14-1621. Armed robbery; essential elements.**

For you to find the defendant guilty of armed robbery [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 took and carried away<sup>2</sup> \_\_\_\_\_ (*identify property*), from \_\_\_\_\_ (*name of victim*) or from his immediate control intending to permanently deprive \_\_\_\_\_ (*name of victim*) of the \_\_\_\_\_ (*property*); [the property had some value;]<sup>3</sup>
2. The defendant was armed with a \_\_\_\_\_<sup>4</sup>;
3. The defendant took the \_\_\_\_\_ (*property*) by [force or violence]<sup>5</sup> [or] [threatened force or violence];
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. Use UJI 14-1602 if asportation is in issue.
3. Use the bracketed provision only if there is a question as to whether or not the property taken had any value.
4. Insert the name of the weapon when the instrument is a deadly weapon as defined in Section 30-1-12B NMSA 1978, or use the phrase "an instrument or object which, when used as a weapon, could cause death or very serious injury."
5. Use the applicable bracketed phrase.