

**14-1702. Arson; with purpose of collecting insurance; essential elements.**

For you to find the defendant guilty of arson [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 intentionally or maliciously [started a fire]<sup>2</sup> [or] [caused an explosion]<sup>2</sup> with the intent to destroy or damage \_\_\_\_\_ (*identify property*) which had a [market]<sup>3</sup> value of over \$ \_\_\_\_\_;
2. The defendant did so for the purpose of collecting insurance for the loss;
3. 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 the applicable bracketed phrase.
  3. Unless the property has no market value, this bracketed word should be used and UJI 14-1707 NMRA must also be given. If the charge is a second degree felony (over \$20,000), use "\$20,000" in the blank. If the charge is a third degree felony (over \$2,500), use "\$2,500" in the blank. If the charge is a fourth degree felony (over \$500), use "\$500" in the blank. If the charge is a misdemeanor (over \$250), use "\$250" in the blank.
- [As amended by Supreme Court Order No. 10-8300-039, effective December 31, 2010.]