

14-2220. Unlawful rescue; felony; capital felony; essential elements.

For you to find the defendant guilty of unlawful rescue [as charged in Count _____]¹, the state must prove to your satisfaction beyond a reasonable doubt each of the following elements of the crime:

1. _____ (*name of prisoner*) was in [custody of _____ (*name of peace officer*)]² [confinement];
2. _____ (*name of prisoner*) was [under conviction of _____³] ² [charged with _____³];
3. The defendant freed _____ (*name of prisoner*);
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 only the applicable bracketed element established by the evidence.
3. Insert name of crime.