

14-244. Vehicle homicide; great bodily harm; resisting, evading or obstructing a police officer; essential elements.

For you to find the defendant guilty of causing [death] [or] [great bodily harm]¹ while operating a vehicle and resisting, evading or obstructing an officer of this state as charged in Count _____², the state must prove to your satisfaction beyond a reasonable doubt each of the following elements of the crime:

1. The defendant was operating a motor vehicle;
2. A uniformed police officer in a marked police vehicle signaled the defendant to stop the motor vehicle;
3. The defendant was aware the officer had signaled (him) (her) to stop;
4. The defendant wilfully failed to stop the vehicle;
5. The defendant's failure to stop the vehicle caused³ the [death] [or] [great bodily harm]⁴ of _____ (*name of victim*);
6. This happened in New Mexico on or about the _____ day of _____, _____.

USE NOTES

1. Use only applicable alternative or alternatives. If defendant is charged with causing great bodily harm by vehicle, the definition of "great bodily harm", UJI 14-131, must also be given.
 2. Insert the count number if more than one count is charged.
 3. If causation is in issue, UJI 14-251, the definition of causation, must also be used.
 4. Use the bracketed alternatives that are applicable.
- [Adopted, effective July 1, 1993.]