

14-5042. Withdrawal of evidence from consideration of jury.¹

Evidence has been admitted concerning _____². At the time that the evidence was admitted, it was admitted subject to a further ruling by the court. The court now rules that:

[You should not consider this evidence against the defendant _____].³

[You should disregard this evidence entirely and not consider it for any purpose.]

USE NOTES

1 When evidence is to be withdrawn from the jury, this instruction is appropriate to be given in writing with the other instructions, if requested, unless the court has given an oral instruction to this effect before the close of the evidence.

2 Describe the evidence with enough particularity to enable the jury to know to which evidence this instruction refers.

3 Use applicable alternative.