

14-1684. Fraudulent receipt of a credit card; essential elements.

For you to find the defendant guilty of fraudulent receipt of a credit card [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. The defendant obtained possession² of a credit card³ from a person other than the issuer³ or the authorized agent of the issuer;
2. The defendant intended to deceive or cheat;
3. The credit card was issued to someone other than the defendant;
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. UJI 14-130, "Possession" defined, is to be given if the question of possession is in issue.
3. If the jury requests a definition of "credit card" or "issuer," the statutory definition set forth in Section 30-16-25 NMSA 1978 is to be given.