

14-2815. Acts or declarations of co-conspirators; conditional admissibility; limiting instruction; withdrawal.

Evidence has been admitted concerning _____. You may consider such [acts] [remarks] against the [other] defendants if you find that the [acts] [remarks] were authorized by them.

The [acts] [remarks] were authorized by a defendant if the defendant and the one [doing the acts] [making the remarks] were in a [conspiracy to commit crime] [partnership in crime] and the [acts] [remarks] were during and for the purpose of helping in carrying out the [conspiracy] [partnership].

Unless you find by other evidence that the [acts] [remarks] were authorized by a defendant, then you should not consider them against that defendant.

[If a (co-conspirator) (partner in crime) withdraws from a (conspiracy) (partnership in crime), then the (acts) (remarks) of the others made after the withdrawal are not authorized by, and should not be considered against, the one who withdraws.

In order to withdraw, a person must

(in good faith notify the others he knows are involved that he is no longer involved in the [conspiracy] [partnership] and urge them to give it up.)

(make proper efforts to prevent the carrying out of the [conspiracy] [partnership in crime] and end his participation in such a way as to remove the effect of his assistance).]

USE NOTES

No instruction on this subject shall be given.