

13-1651. Inference where evidence is lost, destroyed or altered.

_____ (*plaintiff or defendant*) says that evidence within the control of _____ (*other party*) was lost, destroyed or altered. If you find that this happened, without a reasonable explanation, you may, but are not required to, conclude that the lost, destroyed or altered evidence would be unfavorable to _____ (*other party*).

USE NOTES

This instruction may be given by the court when evidence in the control of one of the parties has been lost, destroyed or altered.
[Approved, effective March 21, 2005.]