

14-1644. Issuing or transferring a forged writing; essential elements.

For you to find the defendant guilty of forgery [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 gave or delivered to _____ (*name of victim*) a _____ (*name of writing*) knowing it to [be a false _____ (*name of writing*)]² [have a false signature] [have a false endorsement] [have been changed so that its effect was different from the original or genuine] intending to injure, deceive or cheat _____ (*name of victim*) or another;

[2. The damage was over _____;]³

[3. The writing was a will, codicil, trust instrument, deed, mortgage, lien, or any other instrument affecting title to real property;]⁴ and

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. Use only applicable alternative bracketed provisions.
3. For use if the damage was quantifiable and exceeds \$2,500. If the damage was over \$2,500, use "\$2,500" in the blank. If the damage was over \$20,000, use "\$20,000" in the blank.

4. For use if the writing was a will, codicil, trust instrument, deed, mortgage, lien, or any other instrument affecting title to real property. If the type of writing is in issue, please add an instruction containing the relevant legal definition. See, e.g., Sections 45-1-201, 46A-1-103 NMSA 1978.

[As amended by Supreme Court Order No. 10-8300-039, effective December 31, 2010.]