

**14-1403. Criminal trespass; damage; essential elements.**

For you to find the defendant guilty of criminal trespass [as charged in Count \_\_\_\_\_]<sup>1</sup>, the state must prove to your satisfaction beyond a reasonable doubt each of the following elements of the crime:

1. The defendant entered \_\_\_\_\_ (*identify lands or structure entered*) without permission; [the least intrusion constitutes an entry;]<sup>2</sup>
2. The defendant [damaged]<sup>3</sup> [destroyed] \_\_\_\_\_ (*identify part of realty or improvements (e.g. buildings, trees)*);
3. 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 bracketed phrase if entry is in issue.
3. Use only the applicable alternative.

**Statutory reference.** — Section 30-14-1C NMSA 1978.