**14-1401. Criminal trespass; public property; essential elements.**

For you to find the defendant guilty of criminal trespass [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 entered \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*identify lands or structure entered*); [the least intrusion constitutes an entry;]2

2. This property was not open to the public at that time;

3. The defendant knew that the defendant did not have permission to enter;

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 bracketed phrase if entry is in issue.

[Adopted, effective April 27, 1983; as amended by Supreme Court Order No. 22-8300-037, effective for all cases pending or filed on or after December 31, 2022.]