

14-1647. Insurance; false or fraudulent account; essential elements.

For you to find the defendant guilty of making preparing, making or signing a false or fraudulent account, [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 prepared, made or signed a false or fraudulent [account,]² [certificate,] [affidavit] [proof of loss] [or] [_____ (*other document*)];
2. The defendant intended that the [account,]² [certificate,] [affidavit] [proof of loss] [or] [_____ (*other document*)] be presented or used in support of a claim for payment of a loss under an insurance policy;
3. The defendant [knew the statement to be untrue]² [acted with reckless disregard of the truth];
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 or alternatives.
- [Approved, effective January 20, 2005.]