

14-1650. Receiving stolen property; essential elements.

For you to find the defendant guilty of receiving stolen property [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 _____ (*describe the property in question*) had been stolen [by another]²;
2. The defendant [acquired possession³ of] [kept] [disposed of]⁴ this property;
3. At the time the defendant [acquired possession³ of] [kept] [disposed of]⁴ this property, the defendant knew or believed that it had been stolen;
- [4. The property was a firearm;]⁵
- [5. The property had a market value⁶ [of over \$ _____]⁷];⁸
6. 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. This bracketed material must be used for a charge of receiving (acquiring possession of) stolen property. It must not be used for a charge of either retaining (keeping) stolen property or disposing of stolen property.
 3. Use UJI 14-130 if possession is in issue.
 4. Use only applicable bracketed phrase.
 5. Use this element if the stolen property is a firearm.
 6. See UJI 14-1602 for definition of market value.
 7. Use this bracketed provision for property other than money if the value is over \$250. State whether the value of the property at issue is "over \$250," "over \$500," "over \$2,500," or "over \$20,000." If the charge is a petty misdemeanor (\$250 or less), do not use this bracketed provision.
 8. This bracketed provision need not be used if the property is a firearm with a value of less than \$2,500.
- [As amended by Supreme Court Order No. 10-8300-039, effective December 31, 2010.]