

14-2801. Attempt to commit a felony; essential elements.

For you to find the defendant guilty of an attempt to commit the crime of _____¹ [as charged in Count _____]², the state must prove to your satisfaction beyond a reasonable doubt each of the following elements of the crime:

1. The defendant intended to commit the crime of _____;¹
2. The defendant began to do an act which constituted a substantial part of the _____¹ but failed to commit the _____;¹
3. This happened in New Mexico on or about the _____ day of _____, _____.

USE NOTES

1. Insert the name of the felony. A separate one of these instructions is required for each of such felonies. The essential elements of the felony must be given immediately following this instruction, unless they are set out in an instruction dealing with the completed offense. To instruct on the elements of an uncharged offense, UJI 14-140 NMRA must be used.

2. Insert the count number if more than one count is charged.
[As amended by Supreme Court Order No. 10-8300-039, effective December 31, 2010; as amended by Supreme Court Order No. 20-8300-004, effective for all cases pending or filed on or after December 31, 2020.]