

**14-1643. Forgery; essential elements.**

For you to find the defendant guilty of forgery [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<sup>2</sup> [made up a false \_\_\_\_\_ (*name of writing*)] [made a false signature] [made a false endorsement] [changed a genuine \_\_\_\_\_ (*name of writing*)] so that its effect was different from the original];
2. At the time, the defendant intended to injure, deceive or cheat \_\_\_\_\_ (*name of victim*) or another;
- [3. The damage was over \_\_\_\_\_;]<sup>3</sup>
- [4. The writing was a will, codicil, trust instrument, deed, mortgage, lien, or any other instrument affecting the title to real property.]<sup>4</sup>
5. 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 the applicable alternative bracketed provisions.
3. For use if the damage was quantifiable and exceeds \$2,500. If the damage was over \$2,500, use "\$2,500" in the blank. If the damage was over \$20,000, use "\$20,000" in the blank.
4. For use if the writing was a will, codicil, trust instrument, deed, mortgage, lien, or any other instrument affecting the title to real property. If the type of writing is in issue, please add an instruction containing the relevant legal definition. See, e.g., Sections 45-1-201 and 46A-1-103 NMSA 1978.  
[As amended by Supreme Court Order No. 10-8300-039, effective December 31, 2010.]