

14-1696. Possession of machinery, plates or other contrivance; essential elements.

For you to find the defendant guilty of possession of a device used to make credit cards [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 had in his possession² a device used to make credit cards³ of an issuer³;

2. The issuer did not authorize the defendant to make such credit cards;

3. The defendant intended to deceive or cheat;

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. UJI 14-130, "Possession" defined, is to be given if the question of possession is in issue.

3. If the jury requests a definition of "credit card" or "issuer," the statutory definition set forth in Section 30-16-25 NMSA 1978 is to be given.