

**14-1610A. Special verdict; multiple shoplifting incidents within ninety (90) days.<sup>1</sup>**

If you find the defendant guilty of more than one incident of shoplifting as charged in Count \_\_\_\_\_ (*list count number involving aggregated shoplifting incidents*), you must determine if these incidents occurred within a ninety (90)-day period, beginning \_\_\_\_\_ (*date of first shoplifting incident included in count*) and ending \_\_\_\_\_ (*date of last shoplifting incident included in count*), and indicate your finding below:

(a) \_\_\_\_\_ (*name of retailer or store*) located at \_\_\_\_\_ (*address of retailer or store*), occurring on \_\_\_\_\_ (*list a specific day*) as charged in Count 1(a);

\_\_\_\_\_  
YES NO

(b) \_\_\_\_\_ (*name of retailer or store*) located at \_\_\_\_\_ (*address of retailer or store*), occurring on \_\_\_\_\_ (*list a specific day*) as charged in Count 1(b).<sup>2</sup>

\_\_\_\_\_  
YES NO

**USE NOTES**

1. If the prosecution is using the aggregated retail market value of merchandise based on an individual engaging in shoplifting more than once over a ninety (90)-day period under NMSA 1978, Section 30-16-20(D) and there is dispute as to whether the incidents occurred within a ninety (90)-day period, then this special verdict form should be used.

2. If additional shoplifting incidents occurred and there is dispute as to whether these occurred within the ninety (90)-day period, add lines for each incident included in the ninety (90)-day period requiring further factual resolution.

[Adopted by Supreme Court Order No. S-1-RCR-2025-00167, effective for all cases pending or filed on or after December 31, 2025.]