

14-1614. Organized retail crime; possession.

For you to find _____ (*name of defendant*) guilty of organized retail crime [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. _____ (*name of defendant*) and another person or persons acted with an organized plan to [receive]² [purchase] [or] [possess³] merchandise stolen from [a retailer⁴]² [retailers];

2. _____ (*name of defendant*) knew or believed the merchandise was stolen;

3. The aggregated retail market value⁵ of the merchandise stolen was two thousand five hundred dollars (\$2,500) or more;

4. This happened in New Mexico [on or about the _____ day of _____, _____]² [within the span of one year, between the _____ day of _____, _____, _____ and the _____ day of _____, _____].

USE NOTES

1. Insert the count number if more than one count is charged.
 2. Use the applicable alternative.
 3. Use UJI 14-130 NMRA if “possession” is in issue.
 4. If there is an issue about whether the merchandise was taken from a retailer, UJI 14-1618 NMRA, the definition of “retailer,” should be given.
 5. If there is dispute about the value of the merchandise, UJI 14-1617 NMRA, the definition of “aggregated retail market value,” should be given.
- [Adopted by Supreme Court Order No. S-1-RCR-2025-00167, effective for all cases pending or filed on or after December 31, 2025.]