

CR403A Party Liability - Elements.

(DEFENDANT’S NAME) is charged as a party to the offense [in Count _____] with committing (CRIME) [on or about (DATE)]. You cannot convict [him] [her] of this offense unless based on the evidence, you find beyond a reasonable doubt, each of the following elements:

1. (DEFENDANT’S NAME), as a party to the offense;
2. [Insert element two of (CRIME)];
3. [Insert element three of (CRIME)];
4. Etc.

After you carefully consider all the evidence in this case, if you are convinced that each and every element has been proven beyond a reasonable doubt, then you must find the defendant GUILTY. On the other hand, if you are not convinced that one or more of these elements has been proven beyond a reasonable doubt, then you must find the defendant NOT GUILTY.

References

State v. Grunwald, 2018 UT App 45

State v. Jeffs, 2010 UT 49

Utah Code § 76-2-202

Committee Note

This instruction must be used with CR403B.

Last Revised – 06/06/2018