

## **CV1720 False Imprisonment.**

[Name of plaintiff] claims [name of defendant] falsely imprisoned [him]. To succeed on this claim, [name of plaintiff] must prove the following elements:

- (1) [Name of defendant] acted with intent to confine, restrain, or detain [name of plaintiff]; and
- (2) [Name of plaintiff] was directly or indirectly confined, restrained, or detained unlawfully by [name of defendant]; and
- (3) [Name of plaintiff] knew that [he] was confined, restrained, or detained without [his] consent or was harmed by the confinement, restraint, or detention.

[Name of plaintiff] can be confined, restrained, or detained through physical force, verbal threats, or any other actions that would reasonably lead [him] to believe [he] is not free to leave.

### **References**

*Tiede v. State*, 915 P.2d 500, 503 n.4 (Utah 1996).  
*McFarland v. Skaggs Cos.*, 678 P.2d 298, 301 (Utah 1984).  
*Terry v. Zions Coop. Mercantile Inst.*, 605 P.2d 314 (Utah 1979).  
*Tolman v. K-Mart Enters.*, 560 P.2d 1127, 1128 (Utah 1977).  
*Mildon v. Bybee*, 13 Utah 2d 400, 375 P.2d 458 (Utah 1962).  
*Hepworth v. Covey Bros. Amusement Co.*, 97 Utah 205, 210, 91 P.2d 507, 509 (Utah 1939).  
*Smith v. Clark*, 37 Utah 116, 106 P. 653 (Utah 1910).  
*State v. Pass*, 30 Utah 2d 197, 200, 515 P.2d 612, 613 (Utah 1973).  
*Lee v. Langley*, 2005 UT App 339, ¶ 19, 121 P.3d 33.  
Restatement (Second) of Torts § 35 (1965).

### **MUJI 1st Instruction**

10.14, 10.15