**14-231. Involuntary manslaughter; essential elements.1**

 For you to find the defendant guilty of involuntary manslaughter [as charged in Count \_\_\_\_\_\_\_\_]2, the state must prove to your satisfaction beyond a reasonable doubt each of the following elements of the crime:

 1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of defendant*) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*describe defendant's act*);

 2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of defendant*) should have known of the danger involved by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_'s (*name of defendant*) actions;

 3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of defendant*) acted with a willful disregard for the safety of others;

 4. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_'s (*name of defendant*) act caused the death of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of victim*);

 5. This happened in New Mexico on or about the \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_.

USE NOTES

 1. This instruction is used in all involuntary manslaughter prosecutions.

 2. Insert the count number if more than one count is charged.

[As amended, effective August 1, 1997.]