**14-1683. Fraudulent transfer of a credit card; essential elements.**

For you to find the defendant guilty of fraudulent transfer of a credit card [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. The defendant transferred possession2 of a credit card3 to a person other than the cardholder3;

2. The defendant intended to deceive or cheat;

3. The defendant was not the issuer3 or an authorized agent of the issuer;

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

USE NOTES

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

2. UJI 14-130, "Possession" defined, is to be given if the question of possession is in issue.

3. If the jury requests a definition of "credit card," "cardholder" or "issuer," the statutory definition set forth in Section 30-16-25 NMSA 1978 is to be given.