**14-1650. Receiving stolen property; essential elements.**

 For you to find the defendant guilty of receiving stolen property [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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*describe the property in question*) had been stolen [by another]2;

 2. The defendant [acquired possession3 of] [kept] [disposed of]4 this property;

 3. At the time the defendant [acquired possession3 of] [kept] [disposed of]4 this property, the defendant knew or believed that it had been stolen;

 [4. The property was a firearm;]5

 [5. The property had a market value6 [of over $ \_\_\_\_\_\_\_\_\_\_]7;]8

 6. 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. This bracketed material must be used for a charge of receiving (acquiring possession of) stolen property. It must not be used for a charge of either retaining (keeping) stolen property or disposing of stolen property.

 3. Use UJI 14-130 if possession is in issue.

 4. Use only applicable bracketed phrase.

 5. Use this element if the stolen property is a firearm.

 6. *See* UJI 14-1602 for definition of market value.

 7. Use this bracketed provision for property other than money if the value is over $250. State whether the value of the property at issue is "over $250," "over $500," "over $2,500," or "over $20,000." If the charge is a petty misdemeanor ($250 or less), do not use this bracketed provision.

 8. This bracketed provision need not be used if the property is a firearm with a value of less than $2,500.

[As amended by Supreme Court Order No. 10-8300-039, effective December 31, 2010.]