**14-2220. Unlawful rescue; felony; capital felony; essential elements.**

 For you to find the defendant guilty of unlawful rescue [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. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of prisoner*) was in [custody of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of peace officer*)]2 [confinement];

 2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of prisoner*) was [under conviction of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_3]2 [charged with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_3];

 3. The defendant freed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of prisoner*);

 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. Use only the applicable bracketed element established by the evidence.

 3. Insert name of crime.