**14-1685. Fraudulent taking, receiving or transferring credit cards; essential elements.**

For you to find the defendant guilty of fraudulent [taking]1 [receiving] [transferring] of a credit card [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. The defendant [received]1 [sold] [transferred] a credit card3;

2. The defendant made a false statement [about his (identity)4 (financial condition)]1 [about the (identity)4 (financial condition) of (another person)4 (firm) (corporation)];

3. The defendant intended to deceive or cheat;

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

USE NOTES

1. Use applicable alternative.

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

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

4. Use applicable word or phrase set forth in parentheses.