**14-244. Vehicle homicide; great bodily harm; resisting, evading or obstructing a police officer; essential elements.**

For you to find the defendant guilty of causing [death] [or] [great bodily harm]1 while operating a vehicle and resisting, evading or obstructing an officer of this state 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 was operating a motor vehicle;

2. A uniformed police officer in a marked police vehicle signaled the defendant to stop the motor vehicle;

3. The defendant was aware the officer had signaled (him) (her) to stop;

4. The defendant wilfully failed to stop the vehicle;

5. The defendant's failure to stop the vehicle caused3 the [death] [or] [great bodily harm]4 of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of victim*);

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

USE NOTES

1. Use only applicable alternative or alternatives. If defendant is charged with causing great bodily harm by vehicle, the definition of "great bodily harm", UJI 14-131, must also be given.

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

3. If causation is in issue, UJI 14-251, the definition of causation, must also be used.

4. Use the bracketed alternatives that are applicable.

[Adopted, effective July 1, 1993.]