

Title 18, United States Code, Section 924(c)(1), under which defendant is charged in Count ___ makes it a crime for anyone to use or carry a firearm during and in relation to a drug trafficking crime.

For you to find the defendant guilty of the crime charged in Count ___, you must be convinced that the government has proved each of the following beyond a reasonable doubt:

First: That the defendant committed the crime alleged in Count ___; and

Second: That the defendant knowingly used or carried a firearm during and in relation to the defendant's commission of the crime alleged in Count ___.

The government is not required to prove that the defendant actually fired the weapon or brandished it at someone in order to prove "use," as that term is used in this instruction. However, you must be convinced beyond a reasonable doubt that the firearm played a role in or facilitated the commission of a drug offense. In other words, you must find that the firearm was an integral part of the drug offense charged.

To prove the defendant "carried" a firearm, the government must prove that the defendant carried the firearm in the ordinary meaning of the word "carry," such as by transporting a firearm on the person or in a vehicle. The defendant's carrying of the firearm cannot be merely coincidental or unrelated to the drug trafficking crime.

The term "firearm" means any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive. The term "firearm" also includes the frame or receiver silencer, or destructive device.