

**CHECKLIST FOR JURY INSTRUCTIONS**  
**IN CRIMINAL TRIALS BEFORE JUDGE ARMIJO**

**Revised and Effective February 1, 2005**

U.S.A. vs. \_\_\_\_\_ Cr. No. \_\_\_\_\_

Please note: Entries in **BOLDED SMALL CAPS** must be included in the jury instruction packet.

The parties are responsible for submitting instructions on topics that are underlined.

All instructions are subject to case-by-case review. For instructions regarding substantive offenses and defenses, please consult preliminarily the most recent precedents from the Supreme Court and the Tenth Circuit, as well as the instructions given by Judge Armijo in previous trials.

An asterisk (\*) means that the instruction must be individualized.

**I. CRIME CHARGED**

- \_\_\_\_\_ A. **CAPTION\***; COURT WILL INSTRUCT CR.01
- \_\_\_\_\_ B. **DUTY TO FOLLOW INSTRUCTIONS**
  - \_\_\_\_\_ 1. (single defendant on trial) CR.02A
  - \_\_\_\_\_ 2. (multiple defendants on trial) CR.02B
- \_\_\_\_\_ C. **CHARGE AND PLEA\*** (supplied by Government)
- \_\_\_\_\_ D. **BURDEN OF PROOF; REASONABLE DOUBT**
  - \_\_\_\_\_ 1. (all defendants testify) CR.03A
  - \_\_\_\_\_ 2. (any defendant does not testify) CR.03B
- \_\_\_\_\_ E. **SUBSTANTIVE OFFENSE (CODE PROVISIONS/ELEMENTS)\***
  - \_\_\_\_\_ 1. \_\_\_\_\_
  - \_\_\_\_\_ 2. \_\_\_\_\_
  - \_\_\_\_\_ 3. \_\_\_\_\_
  - \_\_\_\_\_ 4. \_\_\_\_\_
- \_\_\_\_\_ F. "On or About" CR.04
- \_\_\_\_\_ G. Specific intent\*
  - \_\_\_\_\_ 1. ("knowingly" and "willfully") CR.05A
  - \_\_\_\_\_ 2. ("knowingly" only) CR.05B

- \_\_\_\_\_ H. Possession CR.06
- \_\_\_\_\_ I. Quantity of contraband CR.07

**II. DEFENSES\***

- \_\_\_\_\_ A. \_\_\_\_\_
- \_\_\_\_\_ B. \_\_\_\_\_

**III. EVIDENCE**

- \_\_\_\_\_ A. **EVIDENCE - ARGUMENT OF COUNSEL** CR.08
- \_\_\_\_\_ B. Stipulations of Fact CR.09
- \_\_\_\_\_ C. Charts and Summaries CR.10
- \_\_\_\_\_ D. **DIRECT/CIRCUMSTANTIAL EVIDENCE** CR.11
- \_\_\_\_\_ E. **CREDIBILITY OF WITNESSES** CR.12
- \_\_\_\_\_ F. **IMPEACHMENT** CR.13A
  - \_\_\_\_\_ 1. Testimony of Witness with Felony Conviction CR.13B
  - \_\_\_\_\_ 2. Testimony of Defendant CR.13C
  - \_\_\_\_\_ 3. Testimony of Defendant with Felony Conviction CR.13D
  - \_\_\_\_\_ 4. Witness's Reputation for Truthfulness CR.13E
- \_\_\_\_\_ G. Expert testimony CR.14
- \_\_\_\_\_ H. Testimony of accomplice, informant, or co-defendant with plea agreement
  - \_\_\_\_\_ 1. (accomplice or informant) CR.15A
  - \_\_\_\_\_ 2. (co-defendant who entered into a plea agreement) CR.15B
- \_\_\_\_\_ I. Witness on addictive drugs CR.16
- \_\_\_\_\_ J. Character evidence CR.17
- \_\_\_\_\_ K. Confession; voluntariness
  - \_\_\_\_\_ 1. (single defendant on trial) CR.18A
  - \_\_\_\_\_ 2. (multiple defendants on trial) CR.18B
- \_\_\_\_\_ L. Transcripts of tape recordings CR.19

\_\_\_\_\_ M. Identification testimony CR.20

\_\_\_\_\_ N. Similar acts evidence CR.21\*

**IV. DELIBERATION**

\_\_\_\_\_ A. CAUTION; PUNISHMENT

\_\_\_\_\_ 1. (single defendant & single count) CR.22A

\_\_\_\_\_ 2. (single defendant & multiple counts) CR.22B

\_\_\_\_\_ 3. (multiple defendants & single count) CR.22C

\_\_\_\_\_ 4. (multiple defendants & multiple counts) CR.22D

\_\_\_\_\_ B. DUTY TO DELIBERATE CR.23

\_\_\_\_\_ C. EXPLANATION OF VERDICT FORM(S)

\_\_\_\_\_ 1. (single verdict form) CR.24A

\_\_\_\_\_ 2. (multiple verdict forms) CR.24B

\_\_\_\_\_ D. VERDICT FORM(S)\*

**V. OTHER INSTRUCTIONS**

A. \_\_\_\_\_

B. \_\_\_\_\_

C. \_\_\_\_\_