

1 **14-1615. Organized retail crime; agent.**

2 For you to find \_\_\_\_\_ (*name of defendant*) guilty of organized retail crime [as  
3 charged in Count \_\_\_\_\_]<sup>1</sup>, the state must prove to your satisfaction beyond a reasonable  
4 doubt each of the following elements of the crime:

5 1. \_\_\_\_\_ (*name of defendant*) and another person or persons had an organized  
6 plan to steal merchandise from [a retailer<sup>2</sup>]<sup>3</sup>[retailers];

7 2. \_\_\_\_\_ (*name of defendant*) acted under the direction, influence, or control  
8 of another person or persons;

9 3. The aggregated retail market value<sup>4</sup> of the merchandise stolen was two thousand  
10 five hundred dollars (\$2,500) or more;

11 4. This happened in New Mexico [on or about the \_\_\_\_\_ day of  
12 \_\_\_\_\_, \_\_\_\_\_]<sup>3</sup> [within the span of one year, between the  
13 \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and the \_\_\_\_\_ day  
14 of \_\_\_\_\_, \_\_\_\_\_].

15 USE NOTES

16 1. Insert the count number if more than one count is charged.

17 2. If there is an issue about whether the merchandise was taken from a retailer, UJI  
18 14-1618 NMRA, the definition of “retailer,” should be given.

19 3. Use the applicable alternative.

20 4. If there is dispute about the value of the merchandise, UJI 14-1617 NMRA, the  
21 definition of “aggregated retail market value,” should be given.

22 [Adopted by Supreme Court Order No. S-1-RCR-2025-00167, effective for all cases pending or  
23 filed on or after December 31, 2025.]

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2           **Committee commentary.** — NMSA 1978, § 30-16-20.1 (2023). The statute at issue does  
3 not provide a definition for “agent.” Consequently, the Committee utilized the definition for agent  
4 from UJI 14-5160 NMRA.

5 [Adopted by Supreme Court Order No. S-1-RCR-2025-00167.]