

1 **14-1682. Possession of stolen, lost, mislaid or delivered by mistake credit card; essential**
2 **elements.**

3 For you to find the defendant guilty of possession of a [stolen credit card]¹ [lost or mislaid
4 credit card] [credit card which was delivered under a mistake as to identity or address] [as charged
5 in Count _____]², the state must prove to your satisfaction beyond a reasonable doubt each
6 of the following elements of the crime:

7 1. The credit card³ had been [stolen]¹ [lost or mislaid] [delivered under a mistake as
8 to the identity or address of the cardholder];

9 2. The defendant [received]¹ [had in [his]their possession⁴] a credit card issued to
10 _____;

11 3. The defendant knew or had reason to know that the credit card had been [stolen]¹
12 [lost or mislaid] [delivered under a mistake as to the identity or address of the cardholder];

13 4. The defendant retained possession with the intent to [use the credit card]¹ [sell or
14 transfer the credit card to another person other than to the cardholder or issuer³];

15 5. This happened in New Mexico on or about the _____ day of
16 _____, _____.

17 USE NOTES

18 1. Use applicable alternative.

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

20 3. If the jury requests a definition of [“]“credit card,[“]” [“]“cardholder[“]” or
21 [“]“issuer,[“]” the statutory definition set forth in NMSA 1978, Section 30-16-25[~~NMSA 1978~~]
22 is to be given.

1 4. UJI 14-130 NMRA, [“Possession” defined, is to be given if the question of
2 possession is in issue.

3 [As amended by Supreme Court Order No. S-1-RCR-2025-00126, effective for all cases pending
4 or filed on or after December 31, 2025.]

5 **Committee commentary.** — For general information on credit card crimes, *see* committee
6 commentary to UJI 14-1680 NMRA.

7 For possession of a stolen credit card, *see* UJI 14-1681 NMRA. This section also deals with credit
8 cards which have been [“lost, mislaid or delivered under a mistake as to the identity or address
9 of the cardholder.”]

10 [As amended by Supreme Court Order No. S-1-RCR-2025-00126.]