

1 **14-1685. Fraudulent taking, receiving or transferring credit cards; essential elements.**

2 For you to find the defendant guilty of fraudulent [taking]¹ [receiving] [transferring] of a
3 credit card [as charged in Count _____]², the state must prove to your satisfaction beyond a
4 reasonable doubt each of the following elements of the crime:

5 1. The defendant [received]¹ [sold] [transferred] a credit card³;

6 2. The defendant made a false statement [about [~~his~~]defendant's (identity)⁴ (financial
7 condition)]¹ [about the (identity)⁴ (financial condition) of (another person)⁴ (firm) (corporation)];

8 3. The defendant intended to deceive or cheat;

9 4. This happened in New Mexico on or about the _____ day of
10 _____, _____.

11 USE NOTES

12 1. Use applicable alternative.

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

14 3. If the jury requests a definition of ["credit card,"] the statutory definition set
15 forth in NMSA 1978, Section 30-16-25[~~NMSA 1978~~] is to be given.

16 4. Use applicable word or phrase set forth in parentheses.

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

19 **Committee commentary.** — For general information on credit card crimes, *see* committee
20 commentary to UJI 14-1680 NMRA. Also *see* commentary to UJI 14-1683 NMRA for discussion
21 of fraudulent transfer or receipt of a credit card. For a review of the elements of fraud, *see* UJI 14-
22 1640 NMRA.

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