

1 **14-1696. Possession of machinery, plates or other contrivance; essential elements.**

2 For you to find the defendant guilty of possession of a device used to make credit cards [as
3 charged in Count _____]¹, the state must prove to your satisfaction beyond a reasonable
4 doubt each of the following elements of the crime:

5 1. The defendant had in [~~his~~their] possession² a device used to make credit cards³ of
6 an issuer³;

7 2. The issuer did not authorize the defendant to make such credit cards;

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

13 2. UJI 14-130 NMRA, [~~"Possession"~~] "Possession" defined, is to be given if the
14 question of possession is in issue.

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

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

20 **Committee commentary.** — For general information on credit card crimes, *see* committee
21 commentary to UJI 14-1680. Also *see* commentary to UJI 14-1695 for a discussion of Section 30-
22 16-35 NMSA 1978. For a review of the elements of fraud, *see* UJI 14-1640.