

1 **14-2251. Aggravated assault by a prisoner; attempting to cause great bodily harm; essential**
2 **elements.**

3 For you to find the defendant guilty of aggravated assault by a prisoner attempting to cause
4 great bodily harm [as charged in Count _____]¹, the state must prove to your satisfaction
5 beyond a reasonable doubt each of the following elements of the crime:

6 1. The defendant [tried to]² _____ (*describe act and insert name of*
7 *victim*)³ who was an [officer] [employee] [visitor]⁴ at _____⁵;

8 2. The defendant intended to cause great bodily harm⁶ to _____
9 (*name of officer, employee, or visitor*);

10 3. At the time, the defendant was confined at _____⁵;

11 4. This happened in New Mexico on or about the _____ day of
12 _____, _____.

13 USE NOTES

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

15 2. Use bracketed material only if no battery occurs.

16 3. Use [~~laymen's~~] layperson's language to describe the touching or application of
17 force.

18 4. Use only the applicable bracketed element established by the evidence.

19 5. Identify place of custody or confinement.

20 6. The definition of [~~"great bodily harm,"~~] "great bodily harm," UJI 14-131 NMRA,
21 must also be given.

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

1 **Committee commentary.** — *See* Section 30-22-17B NMSA 1978. This crime is essentially as
2 assault by an attempt to commit a modified aggravated battery. Compare UJI 14-304 and UJI 14-
3 323.