

1 **14-5183. Self-defense; deadly force by defendant.<sup>1</sup>**

2 An issue in this case is whether the defendant acted in self-defense.

3 The defendant acted in self-defense if

4 1. There was an appearance of immediate danger of death or great bodily harm<sup>2</sup> to the  
5 defendant as a result of \_\_\_\_\_<sup>3</sup>; and

6 2. The defendant was in fact put in fear of immediate death or great bodily harm and  
7 \_\_\_\_\_<sup>4</sup> because of that fear; and

8 3. The apparent danger would have caused a reasonable person in the same  
9 circumstances to act as the defendant did.

10 The burden is on the state to prove beyond a reasonable doubt that the defendant did not  
11 act in self-defense. If you have a reasonable doubt as to whether the defendant acted in self-  
12 defense, you must find the defendant not guilty.

13 USE NOTES

14 1. For use in nonhomicide cases when the self-defense theory is based on necessary  
15 defense of self against any unlawful action; reasonable grounds to believe a design exists to  
16 commit a felony; or reasonable grounds to believe a design exists to do some great bodily harm.  
17 If this instruction is given, add to the essential elements instruction for the offense charged, "The  
18 defendant did not act in self-defense."

19 2. The definition of [""]"great bodily harm,[""]" UJI 14-131 NMRA, must be given if  
20 not already given.

21 3. Describe unlawful act, felony, or act which would result in death or some great  
22 bodily harm as established by the evidence. Give at least enough detail to put the act in context of  
23 the evidence.

1           4.     Describe act of defendant, [~~e.g.~~] e.g., ["struck [Richard] Roe,["] ["choked  
2     [Richard] Roe.["]"  
3     [As amended, effective January 1, 1997; as amended by Supreme Court Order No. 09-8300-028,  
4     effective September 16, 2009; as amended by Supreme Court Order No. 18-8300-012, effective  
5     for all cases pending or filed on or after December 31, 2018; as amended by Supreme Court Order  
6     No. S-1-RCR-2025-00126, effective for all cases pending or filed on or after December 31, 2025.]