

1 **14-6017. Verdicts; single or multiple defendants; burglary, larceny and receiving by**  
2 **acquiring; insanity.**

3 In this case [in connection with the charges of burglary, larceny and receiving (by  
4 acquiring)<sup>2</sup> stolen goods]<sup>3</sup>, there are [five]<sup>4</sup> [six] possible verdicts:

5 (1) guilty of burglary, guilty of larceny and not guilty of receiving (by  
6 acquiring)<sup>2</sup>;

7 (2) guilty of burglary, not guilty of larceny and not guilty of receiving (by  
8 acquiring)<sup>2</sup>;

9 (3) guilty of larceny, not guilty of burglary and not guilty of receiving (by  
10 acquiring)<sup>2</sup>;

11 (4) guilty of receiving (by acquiring)<sup>2</sup>, not guilty of burglary and not guilty of  
12 larceny;

13 (5) not guilty of burglary, not guilty of larceny and not guilty of receiving (by  
14 acquiring)<sup>2</sup>;

15 [(6) not guilty by reason of insanity.<sup>5</sup>

16 Only one of the possible verdicts may be signed by you as to these charges [as to each  
17 defendant]. If you have agreed upon one verdict as to these charges [as to a defendant], that form  
18 of verdict is the only form to be signed as to these charges [as to that defendant]. The other forms  
19 as to these charges are to be left unsigned.

20 [Even if you determine from all the evidence that a defendant committed an offense, if you  
21 are not satisfied beyond a reasonable doubt that [~~he~~the defendant] was sane at the time, you must  
22 find [~~him~~the defendant] not guilty by reason of insanity and sign only the not guilty by reason of  
23 insanity form.]<sup>5</sup>

USE NOTES

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2           1.       This instruction should be given if charges of burglary, larceny and of receiving (by  
3 acquiring) stolen property, relate to the same property. This instruction supplants UJI 14-6011  
4 NMRA; but UJI 14-6011 may be used with this instruction if counts are submitted other than  
5 burglary, larceny and receiving by acquiring. UJI 14-6004 NMRA should not be used with this  
6 instruction because the two are in contradiction. If there are other charges to which this instruction  
7 is not applicable, UJI 14-6004 may be tailored to refer solely to those counts and may be given  
8 with this instruction.

9           2.       Use the parenthetical phrase if the charge of receiving by keeping or receiving by  
10 disposing is also submitted. If no charge of receiving by keeping or disposing is submitted, the  
11 parenthetical phrase should be omitted.

12           3.       Use this bracketed phrase if charges other than burglary, larceny and receiving are  
13 submitted. In some cases it also may be necessary to identify the counts, such as cases in which  
14 there are other charges of burglary, larceny or receiving to which this instruction is not applicable.  
15 If the only charges that are submitted are burglary, larceny and receiving by acquiring, then this  
16 bracketed phrase should be omitted.

17           4.       Use appropriate bracketed alternative.

18           5.       Use these bracketed provisions if the issue of not guilty by reason of insanity is  
19 submitted to the jury.

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

22 **Committee commentary.** — This instruction is designed to avoid inconsistent verdicts in  
23 receiving stolen goods cases. *See* commentary to UJI 14-6015 NMRA.