

1 **14-7034. Sentencing proceeding; duty to consult.**

2 Your findings must represent the considered judgment of each juror.

3 It is your duty to consult with one another and try to reach an agreement. However, you  
4 are not required to give up your individual judgment. Each of you must decide the case for yourself,  
5 but you must do so only after a thorough review of the evidence with your fellow jurors. In the  
6 course of your deliberations, do not hesitate to reexamine your own view and change your opinion  
7 if you are convinced it is erroneous. But do not surrender your honest conviction as to the weight  
8 or effect of evidence solely because of the opinion of your fellow jurors, or for the purpose of  
9 reaching a finding.

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USE NOTES

12 This instruction must be given in every [~~death penalty~~] life imprisonment without  
13 possibility of release or parole proceeding. After the jury has retired for deliberation neither this  
14 instruction nor any “shotgun” instruction shall be given.

15 [As amended, effective August 1, 2001; as amended by Supreme Court Order No. 21-8300-008,  
16 effective for all cases pending or filed on or after December 31, 2021.]

17 **Committee commentary.** — This instruction is almost identical to UJI 14-6008 [~~and UJI 14-7043~~  
18 [~~withdrawn~~]] NMRA. It has been modified for use in [~~death penalty~~] life imprisonment without  
19 possibility of release or parole sentencing proceedings.

20 [As amended by Supreme Court Order No. 21-8300-008, effective for all cases pending or filed  
21 on or after December 31, 2021.]