



INSTRUCTION NO. 1

Ladies and gentlemen of the jury, you have reached a verdict that the defendant is guilty of being a felon in possession of a firearm as charged in Count II of the indictment. It is my duty now to explain additional rules of law you must apply to this case. I also gave you instructions before the trial and during the trial and you must follow those instructions.

You have two more tasks to perform. I must ask you to render a special verdict as to whether the defendant was on release at the time of the commission of the offense and concerning a firearm and ammunition that the United States has alleged is subject to forfeiture by defendant to the United States.

INSTRUCTION NO. 2

In order to determine whether the defendant committed an offense while on release, you must determine beyond a reasonable doubt whether the defendant, on or about June 20, 2023, committed a crime of which the jury previously found the defendant guilty in this case while released from custody, under a release order issued by a judicial officer, while awaiting judicial proceedings, including while awaiting trial in any case.

INSTRUCTION NO. 3

Forfeiture means the defendant loses any ownership or interest he has or claims to have in the property, as a part of the penalty for engaging in criminal activity. You need not concern yourself with any other person's interest in the property. I will take care of any such claims. Your only concern is with defendant's interest in the property.

The United States alleges that certain property should be forfeited because it was used or involved in the offense of prohibited person in possession of a firearm as charged in Count II of the indictment. The property alleged to be related to Count II is as follows:

1. A Harrington and Richardson revolver, bearing serial number AS25780, and ammunition for such firearm.

You must determine whether that property is subject to forfeiture. Property is subject to forfeiture if the United States has proved, by the greater weight of the evidence that the property was used or was intended to be used, in any manner or part, or otherwise involved in the commission of the offense of prohibited person in possession of a firearm.

To prove something by the greater weight of the evidence is to prove that it is more likely true than not true. The decision is made by considering all of the evidence on the subject and deciding which evidence you believe. Each party is entitled to the benefit of all evidence received, regardless of who offered the evidence. Greater weight of the evidence is a lesser standard than proof beyond a reasonable doubt.

INSTRUCTION NO. 4

A Special Verdict Form has been prepared for your use. You must unanimously agree to your responses on the special verdict form.

