IN THE CIRCUIT COURT OF [*county*] COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA,

v. [*case number*]

Hon. [*name*]

[*name-all caps*],

Defendant.

DEFENDANT’S INSTRUCTION NO. \_\_\_\_

You are not to concern yourself in any way with the sentence a defendant might receive if you find [him] [her] guilty. Your sole function is to decide whether the State has sustained or carried its burden of proving the charges to you beyond a reasonable doubt. If, and only if, you find a defendant guilty of the charge(s) will it become the Court’s duty to pronounce sentence.

GIVEN:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

REFUSED:\_\_\_\_\_\_\_\_\_\_\_\_\_

MODIFIED:\_\_\_\_\_\_\_\_\_\_\_\_

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JUDGE