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 here to determine whether the State has proven the defendant guilty of the charge(s) in the indictment beyond a reasonable doubt. You are not called upon to return a verdict as to the guilt or innocence of any other person.

 So, if the evidence in the case convinces you beyond a reasonable doubt of the guilt of defendant(s) for the crime(s) charged in the indictment, you should so find, even though you may believe that one or more other unindicted persons are also guilty. But if any reasonable doubt remains in your mind after impartial consideration of all the evidence in the case, it is your duty to find defendant(s) not guilty.

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

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

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

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 JUDGE