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. \_\_\_\_

Count \_\_ charges the defendant with Failure to Register as a Sexual Offender.

Failure to Register as a Sexual Offender occurs when a person, who is required to register as a sexual offender under West Virginia law, knowingly provides false information, or refuses to provide accurate information as required by law, or knowingly fails to register as required by law, or knowingly fails to provide a change of information as required by law.

To find the defendant guilty, the State must overcome the defendant’s presumption of innocence and prove beyond a reasonable doubt that:

1. on the \_\_ day of [insert month], [insert year],

2. in [insert county] County, West Virginia;

3. the defendant

4. did knowingly

5. [provide false information regarding [his] [her] status] [refuse to provide accurate information when required to do so] [fail to register] [fail to provide a change of required information],

6. while the defendant was required to provide accurate information regarding [his] [her]status according to law.

If, after impartially considering, weighing and comparing all the evidence (that of both the State and the defendant), you are convinced beyond a reasonable doubt of the truth of the charge as to each of these elements, you may find the defendant guilty as charged in Count \_\_ of the indictment. If you have a reasonable doubt of the truth of the charge as to any one or more of these elements, you shall find the defendant not guilty.

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

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

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

JUDGE