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. \_\_\_\_

 “Counterfeit substance” is

1. a controlled substance

2. which itself bears, or bears on its container or label,

3. the trademark or other identifier, including the likeness of the substance,

4. of a manufacturer or distributor other than the person who in fact manufactured or distributed the substance,

5. and the actual manufacturer or distributor did not authorize it.

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

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

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

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 JUDGE