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. \_\_\_\_

 These instructions speak with regards to the defendant’s mental state as directed towards the decedent. This is merely shorthand. The doctrine of transferred intent provides that where a person intends to kill or injure someone, but in the course of attempting to commit the act injures or kills a third party, the defendant’s criminal intent will be transferred to the third party.

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

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

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

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 JUDGE