

STATE OF MARYLAND

* IN THE

v.

* CIRCUIT COURT

SHEILA ANN DIXON

* FOR BALTIMORE CITY

* Case No. 109210015

STATE'S ADDITIONAL AND MODIFIED REQUESTED JURY

INSTRUCTIONS

The State of Maryland respectfully prays that the jury in this matter be instructed as follows, reserving the right, however, to modify or supplement these requested instructions before the jury is finally instructed:

1. The following modified Maryland Pattern Jury Instructions are requested:

See attached.

STATE OF MARYLAND
CIRCUIT COURT
BALTIMORE CITY

State's Requested Jury Instruction- GOOD CHARACTER

You have heard testimony about the good character of the defendant for honesty. Evidence of good character is not by itself a defense to a crime, but must be considered with all other evidence in the case. You may decide that it is unlikely that a person possessing these traits of good character would have committed the crime charged.

MPJI-Cr 3:20

State's Requested Additional Jury Instruction- UNAUTHORIZED CONTROL

Count Three of the Indictment charges the Defendant with Theft by obtaining or exerting unauthorized control. In order to convict the defendant of this offense, the State must prove:

- (1) that the defendant willfully or knowingly obtained or exerted unauthorized control over property of the Baltimore City Housing Authority; and
- (2) that the defendant had the purpose of depriving the owner of the property or that the defendant willfully or knowingly abandoned, used or concealed the property in such a manner as to deprive the owner of the property or knew that the abandonment, use or concealment probably would deprive the owner of the property; and
- (3) that the value of the property was at less than \$500

Property means anything of value.

Owner means a person, other than the defendant, who has possession of, or any other interest in, the property and, without whose consent, the defendant has no authority to exert control over the property.


Deprive means to withhold property of another permanently, for such a period as to appropriate a portion of its value, with the purpose of restoring it only upon payment of a reward or other compensation, or to dispose of the property and use or deal with the property so as to make it unlikely that the owner will recover it.

State's Additional Requested Jury Instruction- Consequences of Verdict

As jurors, your task is to find the facts and arrive at a verdict in accordance with the evidence and my instructions. The possible sentence, or any other consequences that may result from your verdict are not for your determination, and are not to be considered by you in reaching a verdict.

Respectfully submitted,

ROBERT A. ROHRBAUGH
State Prosecutor



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of November, 2009 a copy of the foregoing **STATE'S ADDITIONAL AND MODIFIED REQUESTED JURY**

INSTRUCTIONS was Hand delivered to:

Dale P. Kelberman, Esq.

I FURTHER CERTIFY that I am more than eighteen (18) years of age.

