

## Jury Instructions

**[www.juryinstructions.ca8.uscourts.gov](http://www.juryinstructions.ca8.uscourts.gov)**

1. **Not approved by the 8<sup>th</sup> Cir.** (although Judge Melloy was a member of the Instruction committee and may appreciate more than others how much work and thought goes into them).
2. **Need not be used even if applicable.**  
But, judges like them. Judge Wanglin incident - 1984  
Modify as appropriate to case, make it more clear to the jury.
3. **Fewer out of circuit references.**  
District judges on Committee want subcommittees to focus on 8<sup>th</sup> only, and not try to predict what will happen if no 8<sup>th</sup> Cir. law, but is other law.
4. **Less Speculation about the law.**  
District judges on Committee want subcommittees to stick with what the law is, not what we think it is likely to be.
5. **Local judges on the Committee:** Scott Wright, Nanette Laughrey and Bill Knox
6. **Local members of the Criminal Subcommittee:**  
Chris Harlan, Jim Wyrsh, Linda Marshall, Curt Bohling
7. **Numerous small changes:**  
his/her            the defendant            the government  
Preponderance eliminated in most places in favor of greater weight  
lots of corrected citations
8. **Substantive/significant changes:**
  - 2.06 Transcript of Tape Recorded Conversation Revised
  - 2.06A Transcript of Foreign Language Tape Recorded Conversation - New
  - 2.08 Defendant's Prior Similar acts - revised
  - 2.09 Defendant's Prior Similar acts - to prove identity - revised
  - 6.18.922 & 922(G)(3) - Felon in Possession - Cite to Richardson, 439 F.3d421 (8<sup>th</sup> Cir. 2006) added.
  - 6.18.1341 Mail Fraud - minor changes in notes and comments
  - 6.18.1503A Corruptly Endeavoring to influence a Juror - Minor changes in notes and comments.
  - 6.18.1503B Influencing a Juror by Threats - new element for enhancement of penalty

6.18.1503C Obstruction of Justice - New element for enhancement of penalty  
6.18.1512 Tampering with a Witness - Corrupt persuasion and definition added.  
6.18.2252A - A(3) Child Pornography with definitions - new  
7.02 Wilfully - revised  
7.03 Knowingly - comments revised  
7.04 Deliberate Ignorance - Instruction revised  
9.02. Coercion or Duress - revised in accordance with Dixon v. U.S., 126 S.Ct. 2437  
(2006). Numerous other instructions which mentioned duress had to be revised  
also.  
10.02 Partial Verdict - new.