

Pattern Criminal Federal Jury Instructions
for the
Seventh Circuit

The Committee on Federal Criminal Jury Instructions for the Seventh Circuit drafted these proposed pattern jury instructions. The Seventh Circuit Judicial Council, on November 30, 1998, approved these instructions in principle and authorized their publication for use in the Seventh Circuit.

The Judicial Council wishes to express its gratitude to the judges and lawyers who have worked so long and hard to make a contribution to our system of criminal justice.

3.04 PROOF OF OTHER CRIMES OR ACTS

You have heard evidence of acts of the defendant other than those charged in the indictment. You may consider this evidence only on the question of _____. You should consider this evidence only for this limited purpose.

Committee Comment

See Federal Rule of Evidence 404(b). This evidence may be admissible for purposes such as proof of predisposition, motive, opportunity, intent, preparation, plan, knowledge, identity, presence, or absence of mistake or accident. This listing is not intended to include all possibilities. The court may find it necessary to modify the wording of this sentence to accommodate the particular purposes for which the evidence is admitted.

This instruction may also be given during the trial at the time the evidence is introduced. The trial judge may refer specifically to the evidence alluded to if necessary for clarity. Care should be taken, however, not to characterize the evidence or to give it additional weight.