13.18
Issues In Theft By Deception Of Property Exceeding $300 In Value

To sustain the charge of theft, the State must prove the following propositions:

First Proposition: That ____ was the owner of the property in question; and

Second Proposition: That the defendant by deception knowingly obtained control over the property in question; and

Third Proposition: That the defendant intended to deprive the owner thereof permanently of the use or benefit of that property;

[or]

Third Proposition: That the defendant knowingly [(used) (concealed) (abandoned)] the property in question in such manner as to deprive the owner thereof permanently of the use or benefit of that property;

[or]

Third Proposition: That the defendant [(used) (concealed) (abandoned)] the property in question knowing that such [(use) (concealment) (abandonment)] probably will deprive the owner thereof permanently of the use or benefit of that property;

and

Fourth Proposition: That the property in question exceeded $300 in value.

If you find from your consideration of all the evidence that each one of these propositions has been proved beyond a reasonable doubt, you should find the defendant guilty.

If you find from your consideration of all the evidence that any one of these propositions has not been proved beyond a reasonable doubt, you should find the defendant not guilty.

Committee Note

720 ILCS 5/16-1(a)(2)(A), (B), and (C), and 16-1(c) (West, 1999) (formerly Ill.Rev.Stat. ch. 38, §16-1(a)(2)(A), (B), and (C), and 16-1(c) (1991)).

Give Instruction 13.17.

Choose from among the three options for the Third Proposition that option which is reflective of the charge against the defendant.

Other definitions may be appropriate. See Instructions 13.33 through 13.33E.

Insert in the blank the name of the owner.

Use applicable bracketed material.

When accountability is an issue, ordinarily insert the phrase "or one for whose conduct he is legally responsible" after the word "defendant" in each proposition. See Instruction 5.03.