

INSTRUCTION 1

The Court instructs the jury that you are the judges of the facts, the credibility of the witnesses, and the weight of the evidence. You may consider the appearance and manner of the witnesses on the stand, their intelligence, their opportunity for knowing the truth and for having observed the things about which they testified, their interest in the outcome of the case, their bias, and, if any have been shown, their prior inconsistent statements, or whether they have knowingly testified untruthfully as to any material fact in the case.

You may not arbitrarily disregard believable testimony of a witness. However, after you have considered all the evidence in the case, then you may accept or discard all or part of the testimony of a witness as you think proper.

You are entitled to use your common sense in judging any testimony. From these things and all the other circumstances of the case, you may determine which witnesses are more believable and weigh their testimony accordingly.

INSTRUCTION 2

The Court instructs the jury that the defendant is presumed to be innocent. You should not assume the defendant is guilty because he is on trial. This presumption of innocence remains with the defendant throughout the trial and is enough to require you to find the defendant not guilty unless and until the Commonwealth proves each and every element of the offense beyond a reasonable doubt. This does not require proof beyond all possible doubt, nor is the Commonwealth required to disprove every conceivable circumstance of innocence. However, suspicion or probability of guilt is not enough for a conviction.

There is no burden on the defendant to produce any evidence.

A reasonable doubt is a doubt based on your sound judgment after a full and impartial consideration of all the evidence in the case.

INSTRUCTION 3

The Court instructs the jury that the defendant is charged with the crime of trespass. The Commonwealth must prove beyond a reasonable doubt each of the following elements of that crime:

- (1) That the defendant went on or remained on the premises of another; and
- (2) That he did so willfully; and
- (3) That the defendant had been forbidden to do so by the person in charge.

INSTRUCTION 4

If you find from the evidence that the Commonwealth has proved beyond a reasonable doubt each of the above elements as charged, then you shall find the defendant guilty and fix his punishment at:

- (1) Confinement in jail for a specific time, but for not more than twelve (12) months; or
- (2) A fine of a specific amount, but not more than \$2,500.00; or
- (3) Confinement in jail for a specific time, but for not more than twelve (12) months, and a fine of a specific amount, but not more than \$2,500.00.

If you find that the Commonwealth has failed to prove beyond a reasonable doubt any of the above elements, then you shall find the defendant not guilty.