

JURY INSTRUCTION NO. 5.

REASONABLE DOUBT - DEFINED

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4 Proof beyond a reasonable doubt is proof that leaves you
5 firmly convinced that the defendant is guilty. It is not
6 required that the government prove guilt beyond all possible
7 doubt.

8 A reasonable doubt is a doubt based upon reason, common
9 sense, or any other matter that leads you to question the truth
10 of any charge, and is not based purely on speculation. It may
11 arise from a careful and impartial consideration of all the
12 evidence, or from lack of evidence.

13 If after a careful and impartial consideration of all the
14 evidence, you are not convinced beyond a reasonable doubt that a
15 defendant is guilty, it is your duty to find the defendant not
16 guilty. On the other hand, if after a careful and impartial
17 consideration of all the evidence, you are convinced beyond a
18 reasonable doubt that a defendant is guilty, it is your duty to
19 find the defendant guilty.
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