**T.P.I. -- CRIM. 31.12(b)**

**SUPPLEMENTAL INSTRUCTION: INTENDED RECIPIENT UNDER EIGHTEEN (18) YEARS OF AGE**

If you find the defendant(s) guilty of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in Count \_\_\_\_\_\_ beyond a reasonable doubt, it will then be your duty to determine whether or not the recipient or the intended recipient of the controlled substance was under eighteen (18) years of age.

If you find the intended recipient of the controlled substance was under eighteen (18) years of age, beyond a reasonable doubt, you will indicate in your verdict for this count “We, the jury, also find the defendant(s) guilty of committing this act when the intended recipient of the controlled substance was under eighteen (18) years of age.

If you find the State has not proven that the intended recipient of the controlled substance was under eighteen (18) years of age, then you shall indicate in your verdict for this count “We, the jury do not find beyond a reasonable doubt that the intended recipient of the controlled substance was under eighteen (18) years of age.

Your verdict must be unanimous.