**Verdict Sheet**

**Inconsistent Counts and Alternate Counts**

**Court of the State of New York**

**County of**

**x**

**The People of the State of New York : Date:**

**: No.**

**against : Judge:**

**: Lawyers:**

**,**

**Defendant.**

**x**

|  |  |  |  |
| --- | --- | --- | --- |
| **Count** | **Crime Charged** | **Not Guilty** | **Guilty** |
| **1** | **Murder in the second degree** |  |  |
|  | **(with intent to cause the death of another person, he or she causes the death of such person.)** |  |  |
| **2** | **Murder in the second degree** |  |  |
|  | **(under circumstances evincing a depraved indifference to human life, he or she recklessly engages in conduct which creates a grave risk of death to another person, and thereby causes the death of another person.)** |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Count** | **Crime Charged** | **Not Guilty** | **Guilty** |
|  | **As to counts 1 and 2, the verdict must be either not guilty of both counts, or guilty of one count and not guilty of the other count.**  **If you find the defendant guilty of either count 1 or count 2, then do not consider count 3, Manslaughter in the first degree, and proceed to consider counts 4 and 5 and as to each of those counts render a verdict of guilty or not guilty.**  **If you find the defendant not guilty of count 1 and not guilty of count 2, then consider count 3, Manslaughter in the first degree, and render a verdict of guilty or not guilty.** |  |  |
| **3** | **Manslaughter in the first degree** |  |  |
|  | **If you find the defendant guilty of count 3, do not consider count 4.**  **If you find the defendant not guilty of count 3, consider count 4.** |  |  |
| **4** | **Manslaughter in the second degree** |  |  |
|  |  |  |  |
| **5** | **Criminal possession of a weapon in the third degree** |  |  |