

203.10A HABITUAL FELON - INTRODUCTORY REMARKS.

Members of the jury, thank you very much for your service in this case thus far. We will now begin another phase of this trial. In this case, the defendant has also been charged with being an habitual felon. Being an habitual felon is not a crime in and of itself. It is a status that requires a jury determination of whether the defendant is a habitual felon. In this case, you have found the defendant guilty of (*name crime*).

In the second phase of this trial, you will determine whether or not the defendant is an habitual felon. The State must prove beyond a reasonable doubt that the defendant is an habitual felon. The rules of law applicable to the first phase of the trial also apply to this phase of the trial. During this second phase we will proceed in much the same fashion as in the first phase of the trial.