

255.02 MISDEMEANOR WILLFUL FAILURE TO APPEAR. MISDEMEANOR.

The defendant has been charged with willful failure to appear.

For you to find the defendant guilty of this offense, the State must prove four things beyond a reasonable doubt:

First, that the defendant was released from lawful custody [while awaiting trial for the charges against him].

Second, that the defendant had been ordered to appear before [(*name court*)] [(*name judicial officer*)] on (*name date*) at (*name time*) to (*describe purpose of proceedings*).

Third, that the defendant did not appear as ordered.

And Fourth, that the defendant's failure to appear was willful, that is intentional and without justification.

If you find from the evidence beyond a reasonable doubt that the defendant was released from lawful custody while awaiting trial for the charges against him, and that the defendant was ordered to appear before [(*name court*)] [(*name judicial officer*)] on (*name date*) at (*name time*) to (*describe purpose of proceedings*) , and that the defendant willfully failed to appear as ordered, it would be your duty to return a verdict of guilty. If you do not so find, or have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.