**1A.04 STRIKING AN EXHIBIT THAT HAS BEEN ADMITTED**

Exhibit (insert descriptive number or letter) has been shown to you. It is now clear that the law does not allow it to be used as evidence in this case. Therefore, you must proceed as if you had never seen the exhibit, and you must completely ignore it in your deliberations.

[I realize that putting something like this out of your mind is not easy. But you must do so in order to do justice in this case. I am sure that if all of you try your best you can disregard the exhibit.]

Use Note

This instruction covers the striking of an exhibit that has been admitted into evidence and has been shown to the jury.

The second paragraph should only be given if the exhibit that has been emphasized to the jury is an exhibit that is likely to have unusual influence, or has been in the case for some time.

Comment

Some of the evidence rules--see, e.g., Alaska R. Evid. 106, 803(5), and 803(18)--recognize that exhibits, especially writings, may be given much weight by a jury. This instruction is drafted to recognize this possibility and to counterbalance the impact that demonstrative evidence may have on lay triers of fact.