, the defendant in this case, has been charged with the crime of theft by receiving in the first degree.

To prove that the defendant committed this crime, the state must prove beyond a reasonable doubt each of the following elements:

(1) the defendant bought, received, retained, concealed, or disposed of stolen property;

(2) the defendant recklessly disregarded that the property was stolen;

(3) the defendant intended to deprive another of the property or to appropriate the stolen property to the defendant, or a third person who was not the rightful owner; and

(4) the value of the property was $25,000 or more.

# USE NOTE

The following terms are defined in other instructions:

"appropriate" – 11.46.990

"deprive" – 11.46.990

"intentionally" - 11.81.900(a)

"property" - 11.81.900(b)

"reckless disregard" - 11.46.190 #7

"stolen property" – 11.46.990

For determination of value, see AS 11.46.980.

See Ace v. State, 672 P.2d 159 (Alaska App. 1983), for a discussion of the third element.

 See Andrew v. State, 653 P.2d 1063 (Alaska App. 1982), for a discussion of the standard of “reckless disregard.” See Pattern Instruction 11.46.190 #5.