

## Disposition of Charge Against Co-Defendant

---

The case against co-defendant (insert name) has been disposed of and is no longer before you. That should not influence your verdict(s) with reference to the remaining defendant(s).

You must base your verdict(s) solely on the evidence that relates to the remaining defendant(s).<sup>1</sup>

---

<sup>1</sup> Any plea of guilty by a co-defendant ought to have been entered in the absence of the jury. Should the jury learn of that plea, the jury should be instructed, in effect, that the plea of guilty is to be disregarded. For example: (Insert name of defendant) **changed his plea to guilty of the charge of (insert charge). Do not let that affect your views about the other defendant(s). The position of each must be separately considered. So put aside the fact that (insert name) has pleaded guilty. Instead, consider the case against the remaining defendant(s) on the evidence relevant to him in deciding whether the prosecution has established its case against him.**