

(DEFENDANT'S REQUESTED)

IMPEACHMENT BY PRIOR INCONSISTENCIES

JURY INSTRUCTION NO: _____

_____ You have heard testimony of Timothy Jason Kripner. You have also heard that, before this trial, he made a statement that may be different from his testimony here in court.

This earlier statement was brought to your attention only to help you decide how believable his testimony in this trial was. You cannot use it as proof of anything else. You can only use it as one way of evaluating his testimony in court.

TENTH CIR. PAT. JURY INST. 1.10; *United States v. Carter*, 973 F.2d 1509, 1512, (10th Cir. 1992); *United States v. Orr*, 864 F.2d 1505, 1509 (10th Cir. 1988); *United States v. Soundingsides*, 825 F.2d 1468, 1470 (10th Cir. 1987).

GIVEN _____

REFUSED _____

