**12.16 Illegal Use of Communication Facility**

**(21 U.S.C. § 843(b))**

 The defendant is charged in [Count \_\_\_\_\_ of] the indictment with illegal use of a communication facility in violation of Section 843(b) of Title 21 of the United States Code. For the defendant to be found guilty of that charge, the government must prove beyond a reasonable doubt that the defendant knowingly or intentionally used [a telephone] [the mail] [a radio] [a wire] to help bring about [*specify illegal act or acts*] as charged in [Count \_\_\_\_\_ of] the indictment].

**Comment**

 For a definition of “knowingly,” *see* Instruction 4.8 (Knowingly).

*Revised Mar. 2018*