**14.20 Firearms—Shipment or Transportation by Person**

**Under Indictment for Felony (18 U.S.C. § 922(n))**

The defendant is charged in [Count \_\_\_\_\_\_\_ of] the indictment with [[shipping] [transporting]] [[a firearm] [ammunition]] while under indictment for a felony in violation of Section 922(n) of Title 18 of the United States Code. For the defendant to be found guilty of that charge, the government must prove each of the following elements beyond a reasonable doubt:

First, the defendant was under indictment for [*specify felony*]; and

Second, the defendant willfully [[shipped] [transported]] [[*specify firearm*] [*specify ammunition*]] [[from one state to another] [between a foreign nation and the United States]].

**Comment**

The willfulness requirement is not found in the statutory text of § 922(n); rather, it is found in the relevant statutory sentencing provision, § 924(a)(1)(D). *See Dixon v. United States*, 548 U.S. 1, 5 n.3 (2006).

*Revised May 2020*