

**Ala. Code 1975, §13A-9-47**

**Defrauding Judgment Creditors**

The defendant is charged with defrauding judgment creditors.

A person commits the crime of defrauding judgment creditors if he/she, with fraudulent intent removes property subject to execution from a county to prevent it being levied upon by an execution, or secretes, assigns, conveys or otherwise disposes of property with intent to defraud a judgment creditor.

To convict, the State must prove beyond a reasonable doubt each of the following elements: **[Read as appropriate]**

- (1) With fraudulent intent, the Defendant removed property subject to execution, **[describe the property]**, from a county to prevent it being levied upon by execution; **(OR)**
- (2) Secreted, assigned, conveyed or otherwise disposed of property, **[describe the property]**, with intent to defraud a judgment creditor.

*Property* is any money, tangible or intangible personal property, property (whether real or personal) the location of which can be changed (including things growing on, affixed to, or found in land and documents, although the rights represented hereby have no physical location), contract right, chose-in-action, interest in a claim to wealth, credit, or any other article or thing of value of any kind. [13A-8-1(11)]

A person acts *intentionally* with respect to a result or to conduct when his/her purpose is to cause that result or to engage in that conduct. [13A-2-2(1)]

If you find from the evidence that the State has proved beyond a reasonable doubt each of the above elements of defrauding judgment creditors, then you shall find the defendant guilty of defrauding judgment creditors.

If you find that the State has failed to prove any one or more of the elements of defrauding judgment creditors, then you cannot find the defendant guilty of defrauding judgment creditors.

[Approved 02-27-17.]