

5/15/2024

People's Proposed Jury Charges, *People v. Trump*, Indictment No. 71543-23

PART 59 MAY 7 2024

Instruction as to the remaining counts

You've heard me define the law for Count One. There are thirty-three remaining counts in the indictment, each for Falsifying Business Records in the First Degree. The underlying law applies in the same way to each of the remaining counts. The only difference is that those counts pertain to different business records. I will identify each of those business records.

The second count pertains to an entry in the Detail General Ledger for the Donald J. Trump Revocable Trust, dated February 14, 2017, bearing voucher number 842457, and kept or maintained by the Trump Organization.

The third count pertains to an entry in the Detail General Ledger for the Donald J. Trump Revocable Trust, dated February 14, 2017, bearing voucher number 842460, and kept or maintained by the Trump Organization.

The fourth count pertains to a Donald J. Trump Revocable Trust Account check and check stub dated February 14, 2017, bearing check number 000138, and kept or maintained by the Trump Organization.

The fifth count pertains to an invoice from Michael Cohen dated March 16, 2017, marked as a record of the Donald J. Trump Revocable Trust, and kept or maintained by the Trump Organization.

The sixth count pertains to an entry in the Detail General Ledger for the Donald J. Trump Revocable Trust, dated March 17, 2017, bearing voucher number 846907, and kept or maintained by the Trump Organization.

The seventh count pertains to a Donald J. Trump Revocable Trust Account check and check stub dated March 17, 2017, bearing check number 000147, and kept or maintained by the Trump Organization.

The eighth count pertains to an invoice from Michael Cohen dated April 13, 2017, marked as a record of Donald J. Trump, and kept or maintained by the Trump Organization.

The ninth count pertains to an entry in the Detail General Ledger for Donald J. Trump, dated June 19, 2017, bearing voucher number 858770, and kept or maintained by the Trump Organization.

The tenth count pertains to a Donald J. Trump account check and check stub dated June 19, 2017, bearing check number 002740, and kept or maintained by the Trump Organization.

The eleventh count pertains to an invoice from Michael Cohen dated May 22, 2017, marked as a record of Donald J. Trump, and kept or maintained by the Trump Organization.

The twelfth count pertains to an entry in the Detail General Ledger for Donald J. Trump, dated May 22, 2017, bearing voucher number 855331, and kept or maintained by the Trump Organization.

The thirteenth count pertains to a Donald J. Trump account check and check stub dated May 23, 2017, bearing check number 002700, and kept or maintained by the Trump Organization.

The fourteenth count pertains to an invoice from Michael Cohen dated June 16, 2017, marked as a record of Donald J. Trump, and kept or maintained by the Trump Organization.

The fifteenth count pertains to an entry in the Detail General Ledger for Donald J. Trump, dated June 19, 2017, bearing voucher number 858772, and kept or maintained by the Trump Organization.

The sixteenth count pertains to a Donald J. Trump account check and check stub dated June 19, 2017, bearing check number 002741, and kept or maintained by the Trump Organization.

The seventeenth count pertains to an invoice from Michael Cohen dated July 11, 2017, marked as a record of Donald J. Trump, and kept or maintained by the Trump Organization.

The eighteenth count pertains to an entry in the Detail General Ledger for Donald J. Trump, dated July 11, 2017, bearing voucher number 861096, and kept or maintained by the Trump Organization.

The nineteenth count pertains to a Donald J. Trump account check and check stub dated July 11, 2017, bearing check number 002781, and kept or maintained by the Trump Organization.

The twentieth count pertains to an invoice from Michael Cohen dated August 1, 2017, marked as a record of Donald J. Trump, and kept or maintained by the Trump Organization.

The twenty-first count pertains to an entry in the Detail General Ledger for Donald J. Trump, dated August 1, 2017, bearing voucher number 863641, and kept or maintained by the Trump Organization.

The twenty-second count pertains to a Donald J. Trump account check and check stub dated August 1, 2017, bearing check number 002821, and kept or maintained by the Trump Organization.

The twenty-third count pertains to an invoice from Michael Cohen dated September 11, 2017, marked as a record of Donald J. Trump, and kept or maintained by the Trump Organization.

The twenty-fourth count pertains to an entry in the Detail General Ledger for Donald J. Trump, dated September 11, 2017, bearing voucher number 868174, and kept or maintained by the Trump Organization.

The twenty-fifth count pertains to a Donald J. Trump account check and check stub dated September 12, 2017, bearing check number 002908, and kept or maintained by the Trump Organization.

The twenty-sixth count pertains to an invoice from Michael Cohen dated October 18, 2017, marked as a record of Donald J. Trump, and kept or maintained by the Trump Organization.

The twenty-seventh count pertains to an entry in the Detail General Ledger for Donald J. Trump, dated October 18, 2017, bearing voucher number 872654, and kept or maintained by the Trump Organization.

The twenty-eighth count pertains to a Donald J. Trump account check and check stub dated October 18, 2017, bearing check number 002944, and kept or maintained by the Trump Organization.

The twenty-ninth count pertains to an invoice from Michael Cohen dated November 20, 2017, marked as a record of Donald J. Trump, and kept or maintained by the Trump Organization.

The thirtieth count pertains to an entry in the Detail General Ledger for Donald J. Trump, dated November 20, 2017, bearing voucher number 876511, and kept or maintained by the Trump Organization.

The thirty-first count pertains to a Donald J. Trump account check and check stub dated November 21, 2017, bearing check number 002980, and kept or maintained by the Trump Organization.

The thirty-second count pertains to an invoice from Michael Cohen dated December 1, 2017, marked as a record of Donald J. Trump, and kept or maintained by the Trump Organization.

The thirty-third count pertains to an entry in the Detail General Ledger for Donald J. Trump, dated December 1, 2017, bearing voucher number 877785, and kept or maintained by the Trump Organization.

The thirty-fourth count pertains to a Donald J. Trump account check and check stub dated December 5, 2017, bearing check number 003006, and kept or maintained by the Trump Organization.

Each of these counts, numbered Count Two through Count Thirty-Four, are for Falsifying Business Records in the First Degree, as it pertains to the business records I just identified.

Under our law, a person is guilty of Falsifying Business Records in the First Degree when, with intent to defraud that includes an intent to commit another crime or to aid or conceal the commission thereof, that person makes or causes a false entry in the business records of an enterprise.

The terms "enterprise," "business records," and "intent" used in that definition have special meaning, which I just read to you.

Once again, in order for you to find the defendant guilty of Falsifying Business Records in the First Degree, the People are required to prove, beyond a reasonable doubt, each of the following two elements:

First, that on or about the dates identified in each count, in the county of New York and elsewhere, the defendant, Donald J. Trump, personally, or by acting in concert with another person or persons, made or caused a false entry in the business records of an enterprise; and,

Second, that the defendant did so with intent to defraud that included an intent to commit another crime or to aid or conceal the commission thereof.

If you find the People have proven beyond a reasonable doubt both of those elements, you must find the defendant guilty of this crime.

If you find the People have not proven beyond a reasonable doubt either one or both of those elements, you must find the defendant not guilty of this crime.