

**13.39**  
**Definition Of Forgery**

A person commits the offense of forgery when he, with intent to defraud, knowingly [1] makes or alters a \_\_\_\_ apparently capable of defrauding so that it appears to have been made [ (by another) (at another time) (with different provisions) (by authority of one who did not give such authority) ].

[or]

[2] issues or delivers a \_\_\_\_ apparently capable of defrauding which he knows has been made or altered so that it appears to have been made [ (by another) (at another time) (with different provisions) (by authority of one who did not give such authority) ].

[or]

[3] possesses, with intent to issue or deliver, a \_\_\_\_ apparently capable of defrauding which he knows has been made or altered so that it appears to have been made [ (by another) (at another time) (with different provisions) (by authority of one who did not give such authority) ].

**Committee Note**

720 ILCS 5/17-3(a)(1), (2), and (3) (West, 1999) (formerly Ill.Rev.Stat. ch. 38, §17-3(a)(1), (2), and (3) (1991)).

Give Instruction 13.40.

See *People v. Kent*, 40 Ill.App.3d 256, 350 N.E.2d 890 (5th Dist.1976), concerning additional language “apparently capable of defrauding.”

Insert in the blanks the appropriate descriptions of the documents involved, e.g., check, note, mortgage.

Use applicable paragraphs and bracketed material.

The bracketed numbers are present solely for the guidance of court and counsel and should not be included in the instruction submitted to the jury.