

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

Case No:23-CR-60173 Williams (Graham)

v.

CAROLYN D. WADE,

Defendant.

_____ /

DEFENDANT WADE’S PROPOSED JURY INSTRUCTION

The Defendant, **CAROLYN D. WADE**, through counsel, respectfully requests that the Court give the following instructions to the jury panel prior to their deliberations:

**Defendant’s Proposed Jury Instruction regarding
S17 Good-Faith Defense**

“Good faith” is a complete defense to a charge that requires intent to defraud. A defendant isn’t required to prove good faith. The Government must prove intent to defraud beyond a reasonable doubt.

An honestly held opinion or an honestly formed belief cannot be fraudulent intent - even if the opinion or belief is mistaken. Similarly, evidence of a mistake in judgment, an error in management, or carelessness can’t establish fraudulent intent.

But an honest belief that a business venture would ultimately succeed doesn’t constitute good faith if the Defendant intended to deceive others by making representations the Defendant knew to be false or fraudulent.

USA v. Carolyn D. Wade
Proposed Jury Instruction
Case NO. 23-cr-60173 Williams/Graham

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 12, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of the Notices of Electronic Filing generated by CMF-ECF or in some other authorized manner for those Counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

Respectfully submitted,

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