, the defendant in this case, has been charged with the crime of theft of services by deception, force, threat, or other means to avoid payment for the services.

To prove that the defendant committed this crime, the state must prove beyond a reasonable doubt each of the following elements:

(1) the defendant obtained services;

(2) the defendant obtained the services by [deception] [force] [threat] or other means to avoid payment for the services;

(3) the defendant knew the services to be available only for compensation; and

(4) the value of the services was $25,000 or more.

[If you find that the defendant absconded without paying for hotel, restaurant, or other services for which compensation is customarily paid immediately upon the receiving of them, then you may infer that the services were obtained by deception, but you are not required to make that inference.]

# USE NOTE

The following terms are defined in other instructions:

"deception" – 11.81.900(b)

"force" – 11.81.900(b)

"knowingly" - 11.81.900(b)

"obtain" – 11.46.990

"services" - 11.81.900(b)

"threat" – 11.81.900(b)

For determination of value, see AS 11.46.980.

The language of the final bracketed paragraph is based on Brackhan v. State, 839 P.2d 414 (Alaska App. 1992).