

**8.1 ASSAULT**  
§ 784.011, Fla.Stat.

**To prove the crime of Assault, the State must prove the following three elements beyond a reasonable doubt:**

1. (Defendant) **intentionally and unlawfully threatened, either by word or act, to do violence to** (victim).
2. **At the time,** (defendant) **appeared to have the ability to carry out the threat.**
3. **The act of** (defendant) **created in the mind of** (victim) **a well-founded fear that the violence was about to take place.**

**Lesser Included Offenses**

<b>ASSAULT — 784.011</b>			
<b>CATEGORY ONE</b>	<b>CATEGORY TWO</b>	<b>FLA. STAT.</b>	<b>INS. NO.</b>
None			
	Attempt	777.04(1)	5.1

**Comment**

This instruction was adopted in 1981 and amended in 1997.