### IDJI 4.42 – Trespass; withdrawal of permission – issues

INSTRUCTION NO. \_\_\_\_\_

The plaintiff has the burden of proving each of the following propositions:

 1. That the defendant was upon the plaintiff’s land;

 2. That the plaintiff requested defendant to leave, or otherwise withdrew the permission to remain;

 3. That the defendant remained on the land after the withdrawal of permission;

1. The nature and extent of the damages to plaintiff and the amount thereof.

 If you find from your consideration of all the evidence that each of these propositions has been proved, then your verdict should be for the plaintiff; but, if you find from your consideration of all the evidence that any of these propositions has not been proved, then your verdict should be for the defendant.