CHAPTER SEVENTEEN

TRESPASS

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Instruction No. 17.1

**TRESPASS --- DEFINED**

A trespass is an entry [upon/under the surface of] the real estate of another without the permission of the person lawfully entitled to possession. Permission may be either express or implied.

**Comments**

*Fairlawn Cemetery Ass'n v. First Presbyterian Church*, 496 P.2d 1185, 1187 (Okla. 1972).