

June 2015 Supplement to Pattern Jury Instructions for Criminal Cases

This supplement contains a new table of contents for the criminal instructions, a number of new or replacement instructions for criminal cases, and a new criminal index. Place the instructions in the book in the proper numerical sequence. Old instructions with the same number should be discarded. The supplement contains three copies of the table of contents so that each criminal volume will include a complete table of contents; they are inserted in the supplement at the appropriate places for Volumes II and III.

Interim Instructions. As the Pattern Jury Instructions Committee considers new or updated instructions, it posts Interim Instructions that are too important to wait until the annual summer distribution of hard copy supplements to the School of Government Website at <http://www.sog.unc.edu/programs/ncpjii>. You may check the site periodically for these instructions or join the Pattern Jury Interim Instructions Listserv to receive notification when instructions are posted to the website. Go to the following link to join the Listserv: http://lists.unc.edu/read/all_forums/subscribe?name=ncpjii.

Included is a 2015 Memorandum from the committee on the use of “Victim” language. Place this memorandum immediately after the title page of Volume I, where other memorandums are already located.

The following instructions are included in this supplement. An asterisk (*) denotes a new instruction. All others are replacements for existing instructions.

- *100.05 Outline for Grand Jury Selection
- 100.11 Investigative Grand Jury Charge
- 100.12 Investigative Grand Jury Charge (Newly Formed) (Delete Sheet)
- *100.21 Remarks to Prospective Jurors After Excuses Heard
- *100.22 Introductory Remarks
- *100.38 Remarks to Jurors Before Charge Conference
- *101.37 Remarks to Jurors Before Final Arguments of Counsel
- 101.39 Lack of Unanimity on Principal Charge; “Reasonable Efforts”
- 104.40 Doctrine of Recent Possession
- *104.65 Stipulations
- 150.05 Death Penalty—Mental Retardation Jury Determination (with special verdict form)
- 207.76 Failure to Comply with Sex Offender Residential Restrictions. Felony.
- 208.70 Assault on a Female by a Male Person. Misdemeanor.
- *208.80 Index to Instructions in 208.81 Series. Assault on an Officer—Arrest Situations
- *208.81 Model Instruction—Assault on a Law Enforcement Officer—Arrest Situations. Misdemeanor
- 208.81A Assault on an Officer—Arrest Situations (Only Officer’s and Defendant’s Force in Dispute). Misdemeanor
- 208.81B Assault on an Officer and Simple Assault—Arrest Situations (Issues as to Lawfulness of Arrest and Defendant Force). Misdemeanor.
- 208.81C Assault on an Officer and Simple Assault—Arrest Situations (Issues as to Lawfulness of Arrest Without a Warrant, and as to Force Used by Officer and Defendant). Misdemeanor.

- 208.81D Simple Assault—Arrest Situations (Issue as to Force Used by Defendant to Resist Unlawful Arrest). Misdemeanor.
- 208.81E Assault on an Officer—Arrest Situations (Issues as to Officer Status or Victim, Fact of Arrest and Lawfulness of Arrest—Neither Officer’s nor Defendant’s Force in Dispute). Misdemeanor.
- 208.81F Assault on an Officer and Simple Assault—Arrest Situations (All Issues in Dispute). Misdemeanor.
- *222.70 Trespass to Land on a Motorized All Terrain Vehicle. Misdemeanor.
- *222.75 Collection of [Seismic] [Geophysical] Data on Another’s Property Without Written Consent. Misdemeanor.
- *230.65 [Intimidating] [Interfering] With a Witness. Felony.
- 233.83 Furnishing a Tobacco Product (Including Vapor Products) to an Inmate. Misdemeanor.
- 233.90 Possession of Tobacco Product (Including Vapor Products) by an Inmate. Misdemeanor.
- 235.12 Carrying a Concealed [Pistol] [Handgun]. Felony; Misdemeanor.
- *235.35 Interference with Manned Aircraft by Unmanned Aircraft Systems. Felony.
- *235.61 Unlawful Distribution of Images Taken by Unmanned Aircraft System. Misdemeanor.
- *236A.28 [Standing] [Sitting] [Lying] Upon [Highways] [Streets]. Misdemeanor.
- 238.22B Third Degree Sexual Exploitation of a Minor. Felony.
- 239.25 Contributing to the Delinquency and Neglect by Parents and Others. Misdemeanor.
- 240.51 Violation of a Protective Order While in Possession of a Deadly Weapon. Felony.
- *240.70 Domestic Abuse of a [Disabled] [Elder] Adult Inflicting [Mental] [Physical] Injury. Felony.
- *240.71 Domestic Neglect of a [Disabled] [Elder] Adult Inflicting [Mental] [Physical] Injury. Felony.
- *240.75 Domestic Abuse of a [Disabled] [Elder] Adult Inflicting Serious [Mental] [Physical] Injury. Felony.
- *240.76 Domestic Neglect of a [Disabled] [Elder] Adult Inflicting Serious [Mental] [Physical] Injury. Felony.
- 247.10A Felonious Cruelty to Animals. Felony.
- 254A.11 Possession of a Firearm or Weapon of Mass Death and Destruction by a Felon. Felony.
- *259.85 Subsurface Injection of Waste. Misdemeanor.
- 261.55 Possession of a Pseudoephedrine Product with Prior Conviction of [Possession] [Manufacture] of Methamphetamine. Felony.
- 270.25 Habitual Impaired Driving – Including Chemical Test. Felony.
- 270.25A Habitual Impaired Driving – Including Chemical Test. Felony.