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Where are you from?



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NORTH CAROLINA Judicial COLLEGE

ELEMENTS OF CRIMES: TRESPASS

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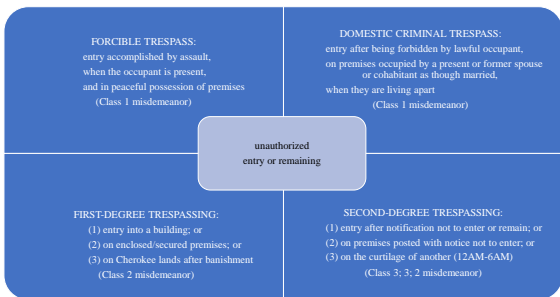
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Offenses covered by this session:

- 1. Forcible Trespass
- 2. Domestic Criminal Trespass
- 3. First-degree Trespass
- 4. Second-degree Trespass
- 5. Trespass for hunting, etc., without written consent
- 6. Third-degree trespass
- 7. Injury to real property
- 8. Injury to personal property
- 9. Malicious damage to occupied property by explosive or incendiary
- 10. Malicious damage to real or personal property by explosive or incendiary

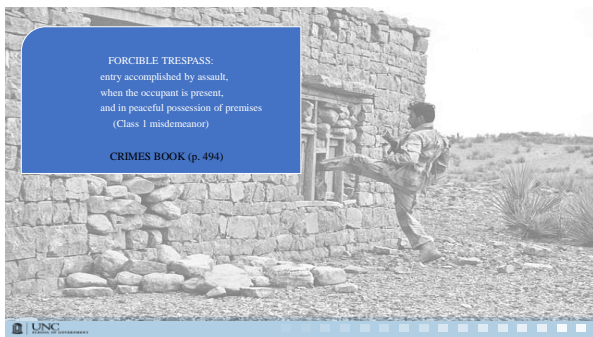
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unauthorized
entry or remaining

CRIMES BOOK (p. 489); Supp. (p. 163)
FIRST-DEGREE TRESPASSING:
(1) entry into a building; or
(2) on enclosed/secured premises; or
(3) on Cherokee lands after banishment
(Class 2 misdemeanor)

CRIMES BOOK (p. 491)
SECOND-DEGREE TRESPASSING:
(1) entry after notification not to enter or remain; or
(2) on premises posted with notice not to enter; or
(3) on the curtilage of another (12AM-6AM) *12/23
(Class 3, 3, 2 misdemeanor)

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Property line
(no fence)

What is the proper charge, if any?

Fourth degree trespass 0%

First degree trespass 0%

Second degree trespass 0%

No charge 0%

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Get off!

No.

What is the proper charge, if any?

Fourth degree trespass 0%

First degree trespass 0%

Second degree trespass 0%

No charge 0%

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What is the proper charge, if any?

Forcible trespass	0%
First degree trespass	0%
Second degree trespass	0%
No charge	0%

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What is the proper charge, if any?

Forcible trespass	0%
First degree trespass	0%
Second degree trespass	0%
No charge	0%

UNCC

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What is the proper charge, if any?

Forcible trespass	0%
First degree trespass	0%
Second degree trespass	0%
No charge	0%

UNCC

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What is the proper charge, if any?

Forcible trespass	0%
First degree trespass	0%
Second degree trespass	0%
No charge	0%

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DOMESTIC CRIMINAL TRESPASS:
 entry after being forbidden by lawful occupant,
 on premises occupied by a present or former spouse
 or cohabitant as though married,
 when they are living apart
 (Class 1 misdemeanor)
 CRIMES BOOK (p. 492); Supp (p. 165)

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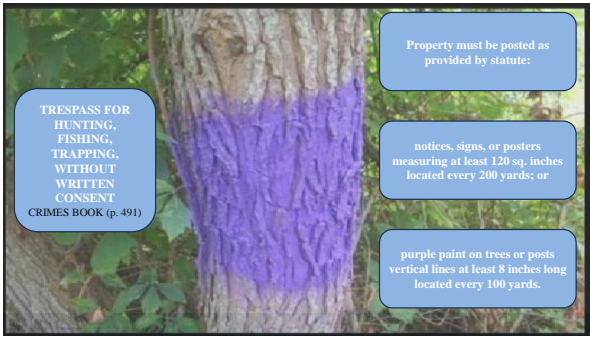
DOMESTIC CRIMINAL TRESPASS

Evidence that the parties are living apart includes:

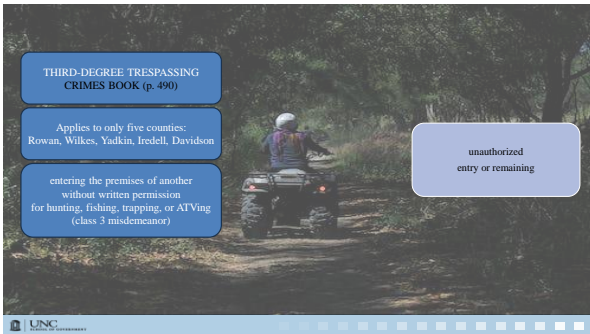
- A judicial order of separation
- A court order directing defendant to stay away
- A separation agreement (written or oral)
- The fact that parties have separate residences

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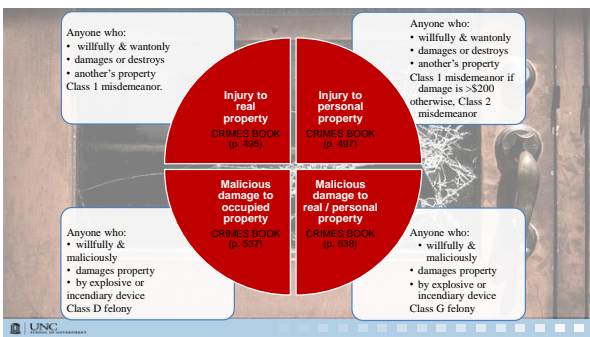
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Exercise 1: What is the proper charge?

No charge	0%
First-degree trespass	0%
Second-degree trespass	0%
Third-degree trespass	0%

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Exercise 2: What is the proper charge?

No charge	0%
First-degree trespass	0%
Second-degree trespass	0%
Domestic Criminal Trespass	0%

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Exercise 3: What is the proper charge?

No charge	0%
First-degree trespass	0%
Second-degree trespass	0%
Forcible Trespass	0%

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Exercise 4: What is the proper charge?

No charge	0%
First-degree trespass	0%
Second-degree trespass	0%
Third-degree trespass	0%

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Exercise 5: What is the proper charge?

No charge	0%
First-degree trespass	0%
Second-degree trespass	0%
Third-degree trespass	0%

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Exercise 6: What is the proper charge?

No charge	0%
First-degree trespass	0%
Second-degree trespass	0%
Domestic Criminal Trespass	0%

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Exercise 7: What is the proper charge?

No charge	0%
First-degree trespass	0%
Second-degree trespass	0%
Domestic Criminal Trespass	0%

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Exercise 8: What is the proper charge?

No charge	0%
First-degree trespass	0%
Second-degree trespass	0%
Third-degree trespass	0%

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Exercise 9: What is the proper charge?

No charge	0%
First-degree trespass	0%
Second-degree trespass	0%
Forcible Trespass	0%

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Exercise 10: What is the proper charge?

No charge	0%
First-degree trespass	0%
Second-degree trespass	0%
Domestic Criminal Trespass	0%

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Exercise 11: What is the proper charge?

No charge	0%
First-degree trespass	0%
Second-degree trespass	0%
Third-degree trespass	0%

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