

N.C.P.I.—Crim 220.38

MONEY LAUNDERING INVOLVING A VALUE EXCEEDING \$10,000. FELONY.

GENERAL CRIMINAL VOLUME

DECEMBER 2024

N.C. Gen. Stat. § 14-118.8(b), (e)

220.38. MONEY LAUNDERING INVOLVING A VALUE EXCEEDING \$10,000.
FELONY.

NOTE WELL: If the value of the proceeds or funds is one hundred thousand dollars (\$100,000) or more use N.C.P.I.—CRIM 220.38A.

The defendant has been charged with money laundering involving a value exceeding ten thousand dollars (\$10,000).

For you to find the defendant guilty of this offense, the State must prove three things beyond a reasonable doubt:

First, that the defendant

- a. [[[Acquired] [maintained] an interest in] [concealed] [possessed] [transferred] [transported] the proceeds of criminal activity¹.]
- b. [[Conducted] [supervised] [facilitated] a transaction² involving the proceeds of criminal activity.]
- c. [[[Invested] [expended] [received]] [offered to [invest] [expend] [receive]] [the proceeds of criminal activity] [funds that the defendant believed were the proceeds of criminal activity].]
- d. [[Financed] [invested] [intended to [finance] [invest]]] funds³ that the defendant believed were intended to further the commission of criminal activity⁴.
- e. [[[[Used] [transported] [transmitted] [transferred]] [[conspired to [use] [transport] [transmit] [transfer]] [attempted to [[use] [transport] [transmit] [transfer]] the proceeds of criminal activity to [conduct] [attempt to conduct] [[a transaction] [make other disposition]] with the intent to [[conceal] [disguise]] the [[nature] [location] [source] [ownership] [control]] of the proceeds of criminal activity.]

- f. [Used the proceeds of criminal activity with the intent to promote [in whole] [in part] the commission of criminal activity.]
- g. [[Conducted] [attempted to conduct] a transaction involving the proceeds of criminal activity, knowing the property involved in the transaction constituted proceeds of criminal activity with the intent to avoid a transaction reporting requirement under federal law.]

Proceeds of criminal activity are funds [[acquired] [derived [directly] [indirectly]] from] [[produced] [realized] through] [used in] the commission of criminal activity.

Second, that the defendant acted knowingly and willfully.

And Third, the proceeds of [criminal activity] [funds] involved [alone] [aggregated⁵] exceeded ten thousand dollars (\$10,000).

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant knowingly and willfully

- a. [[[Acquired] [maintained] an interest in] [concealed] [possessed] [transferred] [transported] the proceeds of criminal activity.]
- b. [[Conducted] [supervised] [facilitated] a transaction involving the proceeds of criminal activity.]
- c. [[[Invested] [expended] [received]] [offered to [invest] [expend] [receive]] [the proceeds of criminal activity] [funds that the defendant believed were the proceeds of criminal activity].]
- d. [[Financed] [invested] [intended to [finance] [invest]]] funds that the defendant believed were intended to further the commission of criminal activity.
- e. [[[[Used] [transported] [transmitted] [transferred]] [[conspired to [use] [transport] [transmit] [transfer]] [attempted to [[use]

[transport] [transmit] [transfer]] the proceeds of criminal activity to [conduct] [attempt to conduct] [[a transaction] [make other disposition]] with the intent to [[conceal] [disguise]] the [[nature] [location] [source] [ownership] [control]] of the proceeds of criminal activity.]

- f. [Used the proceeds of criminal activity with the intent to promote [in whole] [in part] the commission of criminal activity.]
- g. [[Conducted] [attempted to conduct] a transaction involving the proceeds of criminal activity, knowing the property involved in the transaction constituted proceeds of criminal activity with the intent to avoid a transaction reporting requirement under federal law.]

and the proceeds of [criminal activity] [funds] involved [alone] [aggregated] exceeded ten thousand dollars (\$10,000), it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or more of these things it would be your duty to return a verdict of not guilty.

1. See N.C. Gen. Stat. § 14-118.8(a)(5) for a definition of “proceeds of criminal activity.”

2. See N.C. Gen. Stat. § 14-118.8(a)(6) for a definition of “transaction.”

3. See N.C. Gen. Stat. § 14-118.8(a)(3) for a definition of “funds.”

4. See N.C. Gen. Stat. § 14-118.8(a)(1) for a definition of “criminal activity.”

5. N.C. Gen. Stat. § 14-118.8(g) provides that aggregation is appropriate when “the proceeds of criminal activity are related to one scheme or continuing course of conduct, whether from the same or several sources.”