

227.32. SEXUAL EXTORTION COMMITTED BY A MINOR. MISDEMEANOR.

NOTE WELL: For a second or subsequent offense by a minor defendant, use N.C.P.I.—Crim. 227.34.

The defendant has been charged with sexual extortion.

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

First, that the defendant intentionally [threatened to disclose a private image] [declined to [delete] [remove] [retract] a previously disclosed private image] of [the victim] [an immediate family member of the victim].

Second, that the defendant did so in order to [compel] [attempt to compel] the [victim] [immediate family member of the victim] to [do] [refrain from doing] any act against the victim's will.

Third, that the defendant did so with the intent¹ to obtain [additional private images] [anything (else) of value] [any [acquittance] [advantage] [immunity]].

And Fourth, that the defendant was a minor² at the time of the offense.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant intentionally [threatened to disclose a private image] [declined to [delete] [remove] [retract] a previously disclosed private image] of [the victim] [an immediate family member of the victim], that the defendant did so in order to [compel] [attempt to compel] the [victim] [immediate family member of the victim] to [do] [refrain from doing] any act against the victim's will, and that the defendant did so with the intent to obtain [additional private images] [anything (else) of value] [any [acquittance] [advantage] [immunity]], and that the defendant was a minor at the time of the offense, it would be your duty to return a verdict of guilty. If you do not

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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. “Intent” is a mental attitude seldom provable by direct evidence. It must ordinarily be proved by circumstances from which it may be inferred. You arrive at the intent of a person by such just and reasonable deductions from the circumstances proven as a reasonably prudent person would ordinarily draw therefrom. See N.C.P.I.—Crim 120.10.

2. N.C. Gen. Stat. § 14-202.7(a)(6) provides that a “minor” is a person who has not reached the age of 18 years.