

**New and updated instructions in this 2023 edition of  
North Carolina Pattern Jury Instructions for Criminal Cases**

This edition contains an updated table of contents for the criminal instructions, a number of replacement instructions for criminal cases, and a new criminal index. To update your printed edition, print and place the instructions listed below in the proper numerical sequence of your previous edition. Old instructions with the same number should be discarded.

**Interim Instructions.** As the Pattern Jury Instructions Committee considers new or updated instructions, it posts Interim Instructions that are too important to wait until June to distribute as part of the new edition to the School of Government website at [sog.unc.edu/programs/ncpij](http://sog.unc.edu/programs/ncpij). 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.

This 2023 edition contains the following new instructions identified with an asterisk (\*), and revised instructions:

- 204.10 Factors That Enhance Sentence—[Using] [Displaying] [Threatening to Use or Display] a Firearm while Committing a Felony N.C. Gen. Stat. § 15A-1340.16A
- 206.17A Attempted First Degree Murder (Where a Deadly Weapon is Used) Including Self-Defense. Felony.
- 206.50 Involuntary Manslaughter—Other Than by Automobile. Felony.
- 208.61 Assault Inflicting Physical Injury by Strangulation. Felony.
- 210.25 First Degree Kidnapping to Commit [Felony] [Serious Bodily Harm] Covering Second Degree Kidnapping as a Lesser Included Offense. Felony.
- 215.25 Wanton and Willful Burning—Property. Felonies. (Delete Sheet).
- 215.30 Burning of a [Boat] [Barge] [Ferry] [Float]. Felony.
- \*215.31 Burning of Jails or Prisons.
- \*215.32 Burning of Certain Bridges and Buildings.
- \*215.33 Burning of [an Uninhabited House] [a Stable] [a Coach House] [an Outhouse].
- \*215.34 Burning of a Building or Structure in the Process of Construction.
- 215.35 Wanton and Willful Burning of a [Ginhouse] [Tobacco House] [Any Part of a Ginhouse or Tobacco House]. Felony.
- \*215.36 Burning of a Church or Other Religious Building.
- \*215.37 Burning of an Occupied Commercial Structure.
- \*215.38 Burning of an Unoccupied Commercial Structure.
- 215.40 Wanton and Willful or Fraudulent Burning of a Dwelling House by the Owner or Occupant. Felony.
- \*215.41 Burning of a [Mobile Home] [Manufactured-Type House] [Recreational Trailer Home].
- \*215.42 Burning of Certain Public Areas.
- \*215.43 Burning of Schoolhouses or Buildings of Educational Institutions.
- 215.45 Burning Personal Property with Intent to Injure or Prejudice. Felony.

- 215.50 Arson or Other Unlawful Burning Resulting in Serious Bodily Injury to a Firefighter, Law Enforcement Officer, Fire Investigator, or Emergency Medical Technician. Felony.
- \*215.51 Arson or Other Unlawful Burning Resulting in Serious Injury to a Firefighter, Law Enforcement Officer, Fire Investigator, or Emergency Medical Technician. Felony.
- 216.57 Organized Retail Theft. Retail Property with Value Exceeding \$1,500 but Not Exceeding \$20,000, Aggregated Over 90-Day Period. Class H. Felony.
- 216.57A Organized Retail Theft Conspiracy—Retail Property with Value Exceeding \$20,000 but Not Exceeding \$50,000, Aggregated Over 90-Day Period. Class G. Felony.
- \*216.57B Organized Retail Theft. Retail Property with Value Exceeding \$50,000 but Not Exceeding \$100,000. Aggregated Over 90-Day Period. Class F Felony.
- \*216.57C Organizing Retail Theft. Retail Property with Value Exceeding \$100,000, Aggregated Over 90-Day Period. Class C Felony.
- \*216.59B Damage to Property During Organized Retail Theft.
- \*216.59C Assault During Organized Retail Theft.
- \*239.56 Child Abuse by a Person Other Than a Parent. Misdemeanor.
- 239.60 Child Abuse by a Parent. Misdemeanor.
- 254A.11 Possession of a Firearm or Weapon of Mass Death and Destruction by a Felon. Felony.
- \*258.17 Possession of Catalytic Converter Removed from a Motor Vehicle.
- 260.17 Drug Trafficking—Possession (Marijuana, Methaqualone, Cocaine, Amphetamine, Methamphetamine, Opium Opiate, Opioid or Heroin, Lysergic Acid Diethylamide, Methylenedioxyamphetamine, Methylenedioxymethamphetamine, Substituted Cathinones, or Synthetic Cannabinoid). Felony.
- 260.20A Drug Trafficking—Manufacturing (Marijuana, Methaqualone, Cocaine, Amphetamine, Methamphetamine, Opium, Opiate, Opioid or Heroin, Lysergic Acid Diethylamide, Methylenedioxyamphetamine, Methylenedioxymethamphetamine, Substituted Cathinones, or Synthetic Cannabinoid). Felony.
- 260.23 Drug Trafficking—[Selling] [Delivering] (Marijuana, Methaqualone, Cocaine, Amphetamine, Methamphetamine, Opium, Opiate, Opioid or Heroin, Lysergic Acid Diethylamide, Methylenedioxyamphetamine, Methylenedioxymethamphetamine, Substituted Cathinones, Or Synthetic Cannabinoid). Felony.
- 260.30 Drug Trafficking—Transportation (Marijuana, Methaqualone, Cocaine, Amphetamine, Methamphetamine, Opium, Opiate, Opioid or Heroin, Lysergic Acid Diethylamide, Methylenedioxyamphetamine, Methylenedioxymethamphetamine, Substituted Cathinones, or Synthetic Cannabinoid). Felony.
- 271.30 Willfully Injuring or Tampering with or Removing Parts from a Vehicle Without the Consent of the Owner. Misdemeanor.
- 271.31 [Climbing Into] [Attempting to or Setting in Motion] a Vehicle with Intent to Steal, Commit Malicious Injury, Etc. Misdemeanor.
- 285.45 Intent to Unlawfully Influence a(n) [Primary] [Election]. Felony.
- 308.40 Self-Defense—Assaults Not Involving Deadly Force.
- 308.45 Self-Defense—All Assaults Involving Deadly Force.