

FELONIOUS ASSAULT INFLICTING SERIOUS BODILY INJURY.¹
G.S. 14-32.4. FELONY.

NOTE WELL: *Assault inflicting serious injury may be a lesser included offense.*

The defendant has been charged with assault inflicting serious bodily injury.

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

First, that the defendant assaulted the victim by intentionally² (and without justification or excuse)³ (*describe assault*).

And Second, that the defendant inflicted serious bodily injury. Serious bodily injury is injury that creates or causes [a substantial risk of death] [serious permanent disfigurement] [coma] [a permanent or protracted condition that causes extreme pain] [permanent or protracted loss or impairment of the function of any bodily member or organ] [prolonged hospitalization].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant intentionally assaulted the victim inflicting serious bodily injury, (nothing else appearing) 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.

¹For lesser included offense, see N.C.P.I.--Crim. 208.60.

²If a definition of intent is required, see N.C.P.I.--Crim. 120.10.

³The parenthetical phrase should be used only where there is some evidence of justification or excuse, such as self-defense.

