

MALICIOUSLY DAMAGING CHURCH OR OTHER BUILDING OF WORSHIP BY  
USE OF AN EXPLOSIVE OR INCENDIARY DEVICE. FELONY.  
G.S. § 14-49(b1).

The defendant has been charged with willfully and  
maliciously [damaging] [aiding the damaging of] [counseling  
the damaging of] [procuring the damaging of] a [church]  
[chapel] [synagogue] [mosque] [masjid] [other building of  
worship].

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

First, that the defendant [damaged] [aided the  
damaging of] [counseled the damaging of] [procured the  
damaging of] a [church] [chapel] [synagogue] [mosque]  
[masjid] [other building of worship].

Second, that damage to the [church] [chapel]  
[synagogue] [mosque] [masjid] [other building of worship]  
was caused by the use of an explosive or incendiary device.  
(*Name device*) is an explosive or incendiary device.<sup>1</sup>

Third, that the defendant acted willfully; that is,  
intentionally and without justification or excuse.

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<sup>1</sup>Where the explosive or incendiary character of the device cannot  
be determined as a matter of law, this sentence should not be given.  
See G.S. 14-50.1 for definition of explosive or incendiary device or  
material.

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G.S. § 14-49(b1). (Continued.)

And Fourth, that the defendant acted maliciously.

Malice means not only hatred, ill will, or spite as it is ordinarily understood--to be sure, that is malice, but it also means that condition of mind which prompts a person to intentionally cause damage without just cause, excuse, or justification.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant willfully [damaged] [aided the damaging of] [counseled the damaging of] [procured the damaging of] a [church] [chapel] [synagogue] [mosque] [masjid] [other building of worship] and that damage occurred which was caused by the use of an explosive or incendiary device, 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.