

CREDIT CARD (FINANCIAL TRANSACTION CARD¹) THEFT. FELONY.
G.S. 14-113.9(a)(1).

The defendant has been charged with credit card theft.

Now I charge that for you to find the defendant guilty of credit card theft, the State must prove three things beyond a reasonable doubt:

First, that the defendant took (*describe credit card*)² from the [possession] [custody] [control] of another.

Second, that the cardholder did not consent to the taking.

And Third, that the defendant intended to use it.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant took a (*describe credit card*)² from another without the cardholder's consent, with the intent to use it, 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.

¹G.S. 14-113.8(4) defines "financial transaction card" which includes a "credit card."

²Describe card so as to indicate who is the cardholder, that is, one named on the face of the card or for whose benefit it was issued. G.S. 14-113.8(2).

