

CREDIT CARD (FINANCIAL TRANSACTION CARD)<sup>1</sup> THEFT--RECEIVING STOLEN CARD. FELONY. G.S. 14-113.9(a)(1).

The defendant has been charged with credit card theft by receiving a stolen credit card.

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

First, that the defendant received, that is, obtained possession of, (*describe credit card*).<sup>1</sup>

Second, that the card had previously been taken without the cardholder's consent.

Third, that the defendant knew that it had been so taken.

And Fourth, that he intended to [sell it] [use it] [transfer it to someone other than the cardholder or the issuer].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant received (*describe credit card*),<sup>2</sup> which he knew had previously been taken without the cardholder's consent and that the defendant intended to [sell it] [use it] [transfer it to someone other than the cardholder or the issuer], 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.

---

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

<sup>2</sup>Describe 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).

