

FORGERY OR UTTERING OF A FORGED CREDIT CARD (FINANCIAL TRANSACTION CARD)¹--FALSELY ENCODED, DUPLICATED, ALTERED, OR UTTERED. FELONY. G.S. 14-113.11(a)(2).

The defendant has been charged with [forgery of a] [uttering a forged] credit card.

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

First, that the defendant

^a[falsely [encoded] [duplicated the encoding of] [altered the encoding of] a credit card].

^b[uttered, that is, offered to another a credit card which had been falsely [encoded] [duplicated] [altered]].

And Second, that the defendant intended to defraud.²

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [falsely] [encoded] [duplicated the encoding of] [altered the encoding of] a credit card [uttered a credit card which had been falsely [encoded] [duplicated] [altered]], intending to defraud, 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 verdict of not guilty.

¹G.S. 14-113.8(2) defines "financial transaction card" which includes a "credit card."

²Possible victims of such a fraud are listed in the statute.

