

SECRETING PROPERTY TO HINDER ENFORCEMENT OF LIEN OR SECURITY INTEREST. G.S. 14-115. MISDEMEANOR.

The defendant has been charged with secreting property to hinder enforcement of a lien or security interest.¹

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

First, that the defendant had (*describe property*) subject to a [lien] [security interest].

Second, that a(n) [judgment] [order] to enforce the [lien] [security interest] had been issued for possession of that property.

Third, that the defendant [refused to surrender the property in his possession to a law enforcement officer] (or) [[removed] [exchanged] [secreted] the property].

And Fourth, that the defendant did this with the intent to [prevent] [hinder] the enforcement of the [lien] [security interest].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant had (*describe property*) subject to a [lien] [security interest], and that a(n) [judgment] [order] to enforce the [lien] [security interest] had been issued for possession of that property, and that the defendant [refused to surrender that property] (or) [[removed]

¹"Security interest" is defined in G.S. 25-1-201(37) as "an interest in personal property or fixtures which secures payment or performance of an obligation" and rules for determining what is a security interest are given. This definition was taken from Chapter 25 (UCC) to reflect UCC terminology, and G.S. 14-115 was enacted subsequently.

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[exchanged] [secreted] that property] with the intent to [prevent] [hinder] the enforcement of such [lien] [security interest], 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.