

N.C.P.I.—CRIM. 221.12—POSSESSION OF COUNTERFEIT INSTRUMENT(S). G.S. 14-119(a). FELONY.

The defendant has been charged with possession of (a) counterfeit instrument(s)<sup>1</sup>.

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

First, that the defendant possessed (a) counterfeit instrument(s). An instrument is any currency, bill, note, warrant, check, order or similar document issued by a financial institution or governmental unit.<sup>2</sup> A counterfeit instrument is an instrument that purports to be genuine, but is not, because it has been falsely copied, reproduced, forged, manufactured, embossed, encoded, duplicated or altered.<sup>3</sup>

*NOTE WELL: If constructive possession of instruments is an issue, or if an amplified definition of actual possession is needed, the trial judge should refer to N.C.P.I.--Crim. 104.41.*

And Second, that the defendant intended to [injure] [defraud] any [person] [financial institution<sup>4</sup>] [governmental agency<sup>5</sup>].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant possessed (a) counterfeit instrument(s) with the intent to [injure] [defraud] any [person] [financial institution] [governmental agency], 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 both of these things, it would be your duty to return a verdict of not guilty.

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<sup>1</sup> If five or more instruments are involved use N.C.P.I. 221.14.

<sup>2</sup> G.S. 14-119(c)(4).

<sup>3</sup> G.S. 14-119(c)(1).

<sup>4</sup> For a definition of "financial institution" see G.S. 14-119(c)(2).

<sup>5</sup> For a definition of "governmental unit" see G.S. 14-119(c)(3).

