

N.C.P.I.—Crim—222.68

IMPROPER TAKING OF [MENHADEN] [ATLANTIC THREAD] HERRING.

MISDEMEANOR.

CRIMINAL VOLUME

JUNE 2013

N.C. Gen. Stat. § 113-187 (e).

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222.68 IMPROPER TAKING OF [MENHADEN] [ATLANTIC THREAD] HERRING.  
MISDEMEANOR.

The defendant has been charged with the crime of improperly taking a [menhaden] [Atlantic thread] herring.

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

First, that the defendant took [menhaden] [Atlantic thread] herring;

Second, that the defendant did so by the use of a purse seine net deployed by a mother ship and one or more runner boats;

And Third, that the defendant committed this act in coastal fishing waters.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant took [menhaden] [Atlantic thread] herring, that the defendant did so by the use of a purse seine net deployed by a mother ship and one or more runner boats, and that the defendant committed this act in coastal fishing waters, 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, then it would be your duty to return a verdict of not guilty.

