

FAILURE TO RETURN [RENTED] [HIRED] PROPERTY. G.S. 14-167.
MISDEMEANOR.

The defendant has been charged with willfully failing to return [rented] [hired] property.

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

First, that the defendant [rented] [hired] (*describe personal property*) from the victim.

Second, that on (*name date*), the personal property was due to be returned to the possession of the owner.¹

Third, that the defendant failed to return it as required.

And Fourth, that this failure was willful, that is intentional and without justification or excuse.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [rented] [hired] (*describe personal property*) from the victim that was to be returned by (*name date*) and that the defendant willfully failed to return it by that date, 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.

¹Returning possession to an agent may constitute returning possession to the victim.

