

FAILURE TO RETURN [RENTED] [HIRED] [LEASED] MOTOR VEHICLE
VALUED IN EXCESS OF \$4,000. G.S. 14-167. FELONY;
MISDEMEANOR.

The defendant has been charged with willfully
failing to return a [rented] [hired] [leased] [[truck]
[automobile] [(describe other motor vehicle)]] valued in
excess of four thousand dollars (\$4,000).

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] [leased]
a [truck] [automobile] [(describe other motor vehicle)]
from the victim.

Second, that the vehicle was valued in excess of
four thousand dollars (\$4,000) at the time of the
[rental] [hiring] [leasing].

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

And Fourth, that the defendant willfully, that is
intentionally, failed to return it as required by the
agreement.

If you find from the evidence beyond a reasonable
doubt that on or about the alleged date, the defendant
[rented] [hired] [leased] a [truck] [automobile]
[(describe other motor vehicle)] valued in excess of four

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

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thousand dollars (\$4,000) from the victim that was to be returned according to parties' agreement by *(name date)*, that the defendant willfully failed to return it by that date, it would be your duty to return a verdict of guilty of felonious failure to return a [rented] [hired] [leased] vehicle. If you do not so find or have a reasonable doubt as to one or more of these things, then you would not return a verdict of guilty of felonious failure to return a [rented] [hired] [leased] vehicle but would consider whether defendant is guilty of non-felonious failure to return a hired vehicle which differs from the felony in that the [truck] [automobile] [(describe other motor vehicle)] need not be valued in excess of four thousand dollars (\$4,000).

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [rented] [hired] [leased] a [truck] [automobile] [(describe other motor vehicle)] 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 of non-felonious failure to return a [rented] [hired] [leased] motor vehicle. If you do not so find or have reasonable doubt

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as to one or more of these things, it would be your duty
to return a verdict of not guilty.

