

N.C.P.I.—Crim—259.42

WILLFULLY AND MALICIOUSLY MAKING [FALSE] [DEROGATORY] REPORTS ABOUT THE FINANCIAL CONDITION OF A BANK. MISDEMEANOR.

CRIMINAL VOLUME

JUNE 2013

N.C. Gen. Stat. § 53C-8-10.

259.42 WILLFULLY AND MALICIOUSLY MAKING [FALSE] [DEROGATORY] REPORTS. MISDEMEANOR.

The defendant has been charged with willfully and maliciously making [false] [derogatory] reports about the financial condition of a bank.

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

First, that the defendant

- a) [[made] [circulated] [transmitted] [communicated] a [statement] [rumor] [suggestion] to one or more persons that [[was directly] [by inference] false and derogatory of the financial condition of a bank]] [affected the [solvency] [financial standing] of a bank]
- b) [[counseled] [aided] [procured] [induced] another to [make] [circulate] [transmit] [communicate] a [statement] [rumor] [suggestion] to one or more other persons that [[was directly] [by inference] false and derogatory of the financial condition of a bank]] [affected the [solvency] [financial standing] of a bank]

And Second, that the defendant acted willfully and maliciously.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant [[made] [circulated] [transmitted] [communicated] a [statement] [rumor] [suggestion] to one or more persons that [[was directly] [by inference] false and derogatory of the financial condition of a bank]] [affected the [solvency] [financial standing] of a bank] [[counseled] [aided] [procured] [induced] another to [make] [circulate]

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[transmit] [communicate] a [statement] [rumor] [suggestion] to one or more other persons that [[was directly] [by inference] false and derogatory of the financial condition of a bank]] [affected the [solvency] [financial standing] of a bank] and that the defendant acted willfully and maliciously, 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.