

N.C.P.I.—Crim 261.60  
[MANUFACTURING] [DISTRIBUTING] [DISPENSING] DELIVERING]  
[PURCHASING] MARIJUANA ON PROPERTY LAWFULLY USED FOR  
INDUSTRIAL HEMP PRODUCTION. FELONY.

JUNE 2017

N.C. Gen. Stat. § 106-568.57(a)

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261.60 [MANUFACTURING] [DISTRIBUTING] [DISPENSING]  
[DELIVERING] [PURCHASING] MARIJUANA ON PROPERTY LAWFULLY  
USED FOR INDUSTRIAL HEMP PRODUCTION. FELONY.

*NOTE WELL: This instruction is effective for offenses  
committed on or after December 1, 2016.*

The defendant has been charged with [manufacturing]  
[distributing] [dispensing] [delivering] [purchasing] marijuana on  
property lawfully used for Industrial Hemp Production<sup>1</sup>.

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

First, that on or about the alleged date, the defendant:

- a. [[manufactured] [distributed] [dispensed] [delivered]  
[purchased]]
- b. [possessed with the intent to [manufacture] [distribute]  
[dispense] [deliver] [purchase]] marijuana].

*NOTE WELL: If there is evidence that the defendant  
committed the felony by aiding and abetting another or by  
conspiring with another or others, an instruction should be  
given, as appropriate, on aiding and abetting (N.C.P.I.—  
Crim. 202.20).*

Second, and that the marijuana was located [on property used  
for Industrial Hemp production] [in a manner intended to disguise the  
marijuana because of its proximity to Industrial Hemp].

And Third, that the defendant did so knowingly.

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If you find from the evidence beyond a reasonable doubt that on  
or about the alleged date, the defendant knowingly

- a. [[manufactured] [distributed] [dispensed] [delivered]  
[purchased]]
- b. [possessed with the intent to [manufacture] [distribute]  
[dispense] [deliver] [purchase]] marijuana]

and that the marijuana was located [on property used for  
Industrial Hemp Production] [in a manner intended to disguise the  
marijuana due to its proximity to Industrial Hemp], then 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.

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<sup>1</sup> See N.C. Gen. Stat. § G.S. 106-568.57.