

N.C.P.I.—Crim 271.28A

[BUYING] [SELLING] [ISSUING] [POSSESSING] A FORGED  
[INSPECTION STICKER] [ELECTRONIC INSPECTION AUTHORIZATION].  
FELONY.

JUNE 2017

N.C. Gen. Stat. § 20-183.8(c)(2)

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271.28A [BUYING] [SELLING] [ISSUING] [POSSESSING] A FORGED  
[INSPECTION STICKER] [ELECTRONIC INSPECTION AUTHORIZATION].  
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The defendant has been charged with [buying] [selling] [issuing]  
[possessing] a forged [inspection sticker] [electronic inspection  
authorization].

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

First, that on or about the alleged date, the defendant [bought]  
[sold] [issued] [possessed] a forged [inspection sticker] [electronic  
inspection authorization].

A forged [inspection sticker] [electronic inspection authorization]  
is a falsely [made] [altered] [inspection sticker] [electronic inspection  
authorization] that was made by the defendant with the intent to  
defraud, and is capable of appearing genuine.<sup>1</sup>

And Second, that the defendant did so knowingly.

If you find from the evidence beyond a reasonable doubt that on  
or about the alleged date, that the defendant knowingly [bought]  
[sold] [issued] [possessed] a forged [inspection sticker] [electronic  
inspection authorization], 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. §§14-119,14-120.

The North Carolina statute does not define forgery, but merely includes the acts described as within that category. *Peoples Bank & Tr. Co. v. Fid. & Cas. Co.*, 231 N.C. 510, 517, 57 S.E.2d 809, 813 (1949). The common law definition of forgery applies, since the statutes relating to forgery do not define it. Three elements are necessary to constitute the offense: (1) There must be a false making or other alteration of some instrument in writing; (2) there must be a fraudulent intent; and (3) the instrument must be apparently capable of affecting a fraud. *State v. Brown*, 9 N.C. App. 498, 500, 176 S.E.2d 881, 882 (1970).