

285.20 ATTEMPTED VOTE BY ABSENTEE BALLOT—FORGERY. FELONY.

The defendant has been charged with attempting to vote by absentee ballot by forgery.

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

First, that the defendant attempted<sup>1</sup> to vote by absentee ballot.

And Second, that the defendant did so by fraudulently signing the name of a regularly qualified voter, that is the defendant signed the name of the regularly qualified voter without the voter’s authorization.<sup>2</sup>

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant attempted to vote by absentee ballot by fraudulently signing the name of a regularly qualified voter, it would be your duty to return a verdict of guilty. If you do not so find or if you have a reasonable doubt as to one or both of these things, then you would return a verdict of not guilty.

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1. If a further definition of “attempt” is needed, see N.C.P.I.—Crim. 201.10, General Attempt. Attempt is the intent to commit a crime plus an act by the defendant which was designed to bring about the commission of that crime.

2. Forgery is the making of a false writing with the intent to defraud that is apparently capable of effecting a fraud. See N.C.P.I.—Crim. 260.18, Forged Prescription. See also N.C.P.I.—Crim. 219B.35, Forgery of a Credit Card.

