

285.55 SENDING OF UNREQUESTED ABSENTEE BALLOT. FELONY.

The defendant has been charged with the sending of an unrequested absentee ballot.

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

First, that the defendant was a [[member serving on] [employee of]] [[the State] [a county]] board of elections.

Second, that the defendant knowingly [sent] [delivered] an absentee ballot.

And Third, that the person receiving the absentee ballot had not requested an absentee ballot in accordance with the requirements of North Carolina law¹.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant was a [[member serving on] [employee of]] [[the State] [a county]] board of elections, and that the defendant knowingly [sent] [delivered] an absentee ballot to a person who had not requested an absentee ballot in accordance with the requirements of North Carolina law, 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 more of these things, then you would return a verdict of not guilty.

1. The statute refers to a request for an absentee ballot in accordance with requirements of Chapter 163 of the North Carolina General Statutes. If appropriate, the court may decide to elaborate on the requirements outlined in Chapter 163.

