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If the defendant intended to harm one person but instead harmed a different person, the legal effect would be the same as if the defendant had harmed the intended victim.¹

(If a killing of the intended person would be with malice, then the killing of the different person would also be with malice.)

¹See e.g., *State v. Davis*, 349 N.C. 1, 506 S.E.2d 455 (1998); *State v. Fletcher*, 125 N.C. App. 505, 481 S.E.2d 418 (1997).

