

N.C.P.I.—Crim 207.15.2

STATUTORY RAPE AGAINST AN ALLEGED VICTIM WHO WAS THIRTEEN, FOURTEEN, OR FIFTEEN YEARS OLD. (OFFENSES PRIOR TO DEC 1, 2015) FELONY.

CRIMINAL VOLUME

REPLACEMENT JUNE 2016

N.C. Gen. Stat. § 14-27.7A

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*NOTE WELL: This instruction is valid for offenses committed before December 1, 2015. For offenses committed on or after December 1, 2015, use N.C.P.I.—Crim. 207.15.2A.*

The defendant has been charged with statutory rape of an alleged victim who was [thirteen] [fourteen] [fifteen] years old at the time of the offense.

For you to find the defendant guilty of statutory rape of an alleged victim who was [thirteen] [fourteen] [fifteen] years old, the State must prove four things beyond a reasonable doubt:

First, that the defendant engaged in vaginal intercourse with the victim. Vaginal intercourse is penetration, however slight, of the female sex organ by the male sex organ. (The actual emission of semen is not necessary).

Second, that at the time of the act, the alleged victim was [thirteen] [fourteen] [fifteen] years old.

Third, that at the time of the act, the defendant was [at least six] [more than 4 but less than six] years older than the alleged victim.

And Fourth, that at the time of the act, the defendant was not lawfully married to the alleged victim.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant engaged in vaginal intercourse with the alleged victim when the alleged victim was [thirteen] [fourteen] [fifteen] years old, and that the defendant was [at least six] [more than four but less

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than six] years older than the alleged victim and was not lawfully married to  
the alleged victim, 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.