

214.31 FIRST-DEGREE TRESPASS. N.C. Gen. Stat. § 14-159.12.  
MISDEMEANOR.

*NOTE WELL: By N.C. Gen. Stat. § 14-159.14, first and second degree trespass have been designated lesser-included offenses of breaking or entering a building under N.C. Gen. Stat. § 14-54 (see N.C.P.I.—Crim. 214.30 and N.C.P.I.—Crim. 214.34) and lesser-included offenses of felonious breaking or entering a vehicle or boat under N.C. Gen. Stat. § 14-56 (see N.C.P.I.—Crim. 214.40).*

The defendant has been charged with first-degree trespass.

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

First, that the defendant [[entered] [remained]] [[on premises of another so enclosed or secured as to demonstrate clearly an intent to keep out intruders] [in a building of another person] [on the lands of the Eastern Band of Cherokee Indians]].

And Second, that the defendant [[entered] [remained]] [[on the premises] [in the building] [on the lands of the Eastern Cherokee Indians]] [[without authorization] [after having been excluded by a resolution passed by the Eastern Band of Cherokee Indian Tribal Council]].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [[entered] [remained]] [[on premises of another so enclosed or secured as to demonstrate clearly an intent to keep out intruders] [a building of another person] [on the lands of the Eastern Band of Cherokee Indians]] [[without authorization] [after having been excluded by a resolution passed by the Eastern Band of Cherokee Indian Tribal Council]], 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.

