

FIRST-DEGREE TRESPASS. G.S. 14-159.12. MISDEMEANOR.

NOTE WELL: By G.S. 14-159.14 first and second degree trespass have been designated lesser-included offenses of breaking or entering a building under G.S. 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 G.S. 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] [a building of another person].

And Second, that the defendant [entered] [remained] without authorization.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [entered] [remained] [on the premises of another and that the premises were so enclosed or secured as to demonstrate an intent to keep out intruders] [in a building of another] and that the entry was without authorization, it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to any of these things, it would be your duty to return a verdict of not guilty.

