

[RECEIVING] [POSSESSING] RETAIL PROPERTY OBTAINED BY ORGANIZED RETAIL THEFT.
Felony, G.S. 14-86.6(a)(2).

The defendant has been charged with [receiving] [possessing] retail property¹
obtained by organized retail theft².

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

First, that the defendant [received] [possessed] any retail property [taken] [stolen]
by organized retail theft. Organized retail theft occurs when a person
conspires with another person to commit theft of retail property from a retail
establishment, with a value³ exceeding \$1,500 aggregated over a 90-day
period, with the intent to sell that retail property and who takes or causes
that retail property to be placed in the control of a retail property fence⁴ or
other person in exchange for consideration.

And Second, that the defendant [knew] [had reasonable grounds to believe] this
property was stolen.

If you find from the evidence beyond a reasonable doubt that on or about the alleged
date the defendant [received] [possessed] any retail property [taken] [stolen] by organized
retail theft, and that the defendant [knew] [had reasonable grounds to believe] the property
was stolen, 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 both of these things, it would be your duty to return a
verdict of not guilty.

1. According to G.S. 14-86.5(1) "retail property" is any new article, product, commodity, item or
component intended to be sold in retail commerce.

2. According to G.S. 14-86.5(3) "theft" is "to take possession of, carry away, transfer, or cause to be
carried away the retail property of another with the intent to steal the retail property.

3. According to G.S. 14-86.5(4) "value" is the retail value of an item as advertised by the affected retail
establishment, to include all applicable taxes.

4. According to G.S. 14-86.5(2) a "retail property fence" is a person or business that buys retail property
knowing or believing that the retail property is stolen.

