

N.C.P.I.—Crim. 217.51
SAFECRACKING — BY STOLEN COMBINATION, KEY, ELECTRONIC DEVICE
OR FRAUDULENTLY ACQUIRED IMPLEMENT OR MEANS. FELONY.
REPLACEMENT JUNE 2017
N.C. Gen. Stat. § 14-89.1(a)(2).

217.51 SAFECRACKING — BY STOLEN COMBINATION, KEY, ELECTRONIC
DEVICE OR FRAUDULENTLY ACQUIRED IMPLEMENT OR MEANS. FELONY.

The defendant has been charged with safecracking, which is the unlawful [opening] [entering] [attempting to open] [attempting to enter] a [safe] [vault] by the use of a [stolen [combination] [key] [electronic device]] [fraudulently acquired [implement] [(describe other means)]].

For you to find the defendant guilty of safecracking, the State must prove three things beyond a reasonable doubt:

First, that the defendant [opened] [entered] [attempted to open] [attempted to enter] a [safe] [vault] of another.

Second, that the defendant did so unlawfully, that is, knowingly and without the consent of any person authorized to give consent.

And Third, that the defendant did so by the use of a [stolen [combination] [key] [electronic device]] [fraudulently acquired [implement] [(describe other means)]]. (An [implement] [means] would be fraudulently acquired if it was acquired by falsehood, misrepresentation, or subterfuge.)¹

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [opened] [entered] [attempted to open] [attempted to enter] the [safe] [vault] of another and that the defendant did so by the use of a [stolen [combination] [key] [electronic device]] [fraudulently acquired [implement] [(describe other means)]], knowingly and without the consent of any person authorized to give consent, 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.

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1 If there is a conflict in the evidence as to how the defendant acquired the means of entry, state what would and what would not be a fraudulent acquisition.