

CREDIT CARD (FINANCIAL TRANSACTION CARD)¹ THEFT--SELLING A
CREDIT CARD. FELONY. G.S. 14-113.9(a)(3).

NOTE WELL: *The contradiction in terms making the
unlawful selling of the credit card a ``theft'', is as
the statute dictates.*

The defendant has been charged with credit card theft by
unlawfully selling a credit card.

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

First, that the defendants sold a (*describe credit
card*)² to another.

And Second, that the defendant was neither the credit
card issuer nor the authorized agent of the credit card
issuer.

If you find from the evidence beyond a reasonable doubt
that on or about the alleged date, the defendant sold a
credit card to another and was neither the credit card issuer
nor an authorized agent of the credit card issuer, 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.

¹G.S. 14-113.8(4) defines ``financial transaction card'' which
includes a ``credit card.''

²Describe credit card so as to indicate who is the issuer; that
is, the business organization or financial institution or its duly
authorized agent that issued the financial transaction card. G.S. 14-
113.8(5).

