

N.C.P.I.—Crim—220.28

SIMULATION OF COURT PROCESS IN CONNECTION WITH COLLECTION OF [A CLAIM] [A DEMAND] [AN ACCOUNT]. FELONY.

CRIMINAL VOLUME

JUNE 2013

N.C. Gen. Stat. § 14-118.1.

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The defendant has been charged with the simulation of court process in connection with the collection of a(n) [claim] [demand] [account].

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

First, that the defendant¹ [coerced] [intimidated] [attempted to coerce] [attempted to intimidate] another person in connection with any [claim] [demand] [account];

Second, that the defendant did so by the [issuance] [utterance] [delivery] of a [printed] [typed] [written] document;

And Third, that the defendant did so in a way which

- a) [[simulated] [resembled] a [summons] [warrant] [writ] [(*describe court process*)] [pleading]]
- b) [by [its form] [wording] [[use of the name of [North Carolina] a(n) [officer] [agency] [subdivision thereof]] [[use of [seals] [insignia] [general appearance]]] had a tendency to create in the mind of an ordinary person the false impression that it had judicial or other official [authorization] [sanction] [approval].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date that the defendant [coerced] [intimidated] [attempted to coerce] [attempted to intimidate] another person in

¹ The defendant is a [person] [firm] [corporation] [association] [agent] [employee].

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connection with any [claim] [demand] [account], that the defendant did so
by the [issuance] [utterance] [delivery] of a [printed] [typed] [written]
document, and that the defendant did so in a way which

- a) [[simulated] [resembled] a [summons] [warrant] [writ] [(*describe
court process*)] [pleading]]

- b) [by [its form] [wording] [[use of the name of [North Carolina] a(n)
[officer] [agency] [subdivision thereof]] [[use of [seals] [insignia]
[general appearance]]] had a tendency to create in the mind of an
ordinary person the false impression that it had judicial or other
official [authorization] [sanction] [approval],

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, then it would be
your duty to return a verdict of not guilty.