

EXTORTION. G.S. 14-118.4. FELONY.

The defendant has been charged with extortion.

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

First, that the defendant [threatened] [communicated (a) threat(s) to] the victim. ((*Describe threat*) is a threat.)<sup>1</sup>

Second, that the defendant did this with the intent to obtain [something of value] [an acquittance] [an advantage] [an immunity]. ((*Describe object of threats*) is [something of value]<sup>2</sup> [an acquittance] [an advantage] [an immunity].)

And Third, that the defendant intended to obtain (*describe object of threats*) wrongfully, that is, knowing that he was not entitled to obtain it in this manner.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant threatened the victim by (*describe threat*) with the intent to obtain [something of value] [an acquittance] [an advantage] [an immunity] wrongfully, 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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<sup>1</sup>A threat to do something which the defendant has a right or even a duty to carry out will suffice if it is used to wrongfully obtain an advantage, e.g., a policeman who threatens to arrest a thief unless the thief gives all of the stolen money to the policeman.

<sup>2</sup>The statute appears to cover an intent temporarily as well as permanently to deprive the rightful owner of possession.

