

N.C.P.I.—CRIM. 221.12—POSSESSION OF COUNTERFEIT INSTRUMENT(S). G.S. 14-119(a). FELONY.

The defendant has been charged with possession of (a) counterfeit instrument(s)¹.

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

First, that the defendant possessed (a) counterfeit instrument(s). An instrument is any currency, bill, note, warrant, check, order or similar document issued by a financial institution or governmental unit.² A counterfeit instrument is an instrument that purports to be genuine, but is not, because it has been falsely copied, reproduced, forged, manufactured, embossed, encoded, duplicated or altered.³

NOTE WELL: If constructive possession of instruments is an issue, or if an amplified definition of actual possession is needed, the trial judge should refer to N.C.P.I.--Crim. 104.41.

And Second, that the defendant intended to [injure] [defraud] any [person] [financial institution⁴] [governmental agency⁵].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant possessed (a) counterfeit instrument(s) with the intent to [injure] [defraud] any [person] [financial institution] [governmental agency], 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 If five or more instruments are involved use N.C.P.I. 221.14.

² G.S. 14-119(c)(4).

³ G.S. 14-119(c)(1).

⁴ For a definition of "financial institution" see G.S. 14-119(c)(2).

⁵ For a definition of "governmental unit" see G.S. 14-119(c)(3).

