

FORCIBLE TRESPASS TO REAL PROPERTY. COMMON LAW MISDEMEANOR.¹

The defendant has been charged with forcible trespass to real property.

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

First, that the victim was actually present on (*describe premises*).¹

Second, that the victim was in peaceful possession of the premises.

Third, that the defendant made an unpermitted and willful entry on the premises.

And Fourth, that the defendant, in making entry, [used force against the victim] [threatened to use such force as would tend to be a breach of the peace] [came with such appearance or with such a multitude of people as would be calculated to inspire fear in the victim].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the victim was present and in actual, peaceful possession of (*describe premises*) and the defendant forcibly made an unpermitted and willful entry on the premises and [used force against the victim] [threatened to use such force as would tend to be a breach of the peace] [came with such appearance or with such a multitude of people as would be

¹See 12 Strong's N.C. Index 3d, Trespass, Sections 12, 13.

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calculated to inspire fear in the victim] it would be your duty to return a verdict of guilty. If you do not so find or if you have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.