

AGGRAVATED DOMESTIC CRIMINAL TRESPASS. FELONY.  
G.S. 14-134.3(b).

The defendant has been charged with aggravated domestic criminal trespass.

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

First, that the defendant [entered] [remained] on the premises of property operated as a [safe house] [haven] for victims of domestic violence.

Second, that the defendant did so without authorization.

Third, that the defendant had been notified not to [enter] [remain there] by [the owner] [a person in charge of the premises] [a lawful occupant] [an authorized person].

Fourth, that the premises were occupied by a [[present] [former] spouse of the defendant] [person with whom the defendant had lived as if married] that was at that time living apart from the defendant.<sup>1</sup>

And Fifth, that the defendant was armed with a deadly weapon at the time.

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<sup>1</sup>G.S. 14-134.3 provides that "evidence that the parties are living apart shall include but is not necessarily limited to: (1) a judicial order of separation; (2) a court order directing the person charged to stay away from the premises occupied by the complainant; (3) an agreement, whether verbal or written, between the complainant and the person charged that they shall live separate and apart; or (4) separate places of residence for the complainant and the person charged."

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G.S. 14-134.3(b). (Continued.)

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant, armed with a deadly weapon, [entered] [remained] on the premises of property operated as a [safe house] [haven] for victims of domestic violence, that the defendant had been notified not to [enter] [remain there] by [the owner] [a person in charge of the premises] [a lawful occupant] [an authorized person], and that the premises were occupied by a [[present] [former] spouse of the defendant] [person with whom the defendant lived as if married] that was at that time living apart from the defendant, 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.