

SETTING FIRE TO [GRASSLAND] [BRUSHLAND] [WOODLAND] WITH INTENT TO DAMAGE THE PROPERTY OF ANOTHER. G.S. 14-136. FELONY.

The defendant has been charged with setting fire to [grassland] [brushland] [woodland] with intent to damage the property of another.

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

First, that the defendant intentionally set fire to *(describe property)*.

Second, that the property was [grassland] [brushland] [woodland].¹

Third, that this property was the property of another.

And Fourth, that the defendant intended to damage the property of another.²

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant intentionally set fire to *(describe property)*, which was [grassland] [brushland] [woodland] of another, and that the defendant intended to damage the property of another, it would be your duty to return a

¹G.S. 14-136 defines "woodland" to include "all forest areas, both timber and cutover land, and all second-growth on areas that have at one time been cultivated." The statute does not define "grassland" or "brushland."

²If further instructions on intent are necessary, see N.C.P.I.--Crim. 120.10.

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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.³

³If lesser included offense instructions are to be given, the last
phrase should be, "you will not return a verdict of guilty of setting fire to
[grassland] [brushland] [woodland] with intent to damage the property of
another."