

CYBER-BULLYING—USING A [COMPUTER] [COMPUTER NETWORK] TO PLANT ANY STATEMENT TO PROVOKE A THIRD PARTY TO [STALK] [HARASS] A MINOR.  
G.S. 14-458.1(A)(3). MISDEMEANOR.

The defendant has been charged with using a [computer] [computer network] to plant a statement to provoke a third party to [stalk] [harass] a minor.

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

First, that the defendant used a [computer] [computer network].

Second, that the defendant planted a statement, whether true or false.

(And) Third, that the statement [tended to] [actually] provoke(d) a third party to [stalk] [harass] a minor.

*NOTE WELL: If defendant is 18 years of age or older at the time the alleged offense was committed, use the following:*

((And) Fourth, that the defendant was 18 years of age or older at the time the alleged offense was committed.<sup>1</sup>)

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant used a [computer] [computer network] to plant a statement, whether true or false, that [tended to] [actually] provoke(d) a third party to [stalk] [harass] a minor, (and the defendant was 18 years of age or older), 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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1. The penalty for this offense is higher if the defendant is 18 years old or older.

