

FURNISHING AN ALCOHOLIC BEVERAGE TO AN INMATE. G.S. 14-258.1(b). MISDEMEANOR.

NOTE WELL: If the offense involves furnishing a controlled substance to an inmate, use N.C.P.I.—Crim. 233.80. If the offense involves furnishing a deadly weapon, cartridge or ammunition to an inmate, use N.C.P.I.—Crim. 233.81. If the offense involves furnishing a tobacco product to an inmate, use N.C.P.I.—Crim. 233.83. If the offense involves furnishing a cell phone to an inmate, use N.C.P.I.—Crim. 233.84.

The defendant has been charged with furnishing¹ an alcoholic beverage to an inmate of a [[charitable] [mental] [penal] institution] [local confinement facility].

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

First, that (*name inmate*) was an inmate of a [[charitable] [mental] [penal] institution] [local confinement facility]. (*Name facility*) is a [[charitable] [mental] [penal] institution] [local confinement facility].

And Second, that while said inmate was an inmate of (*name facility*), the defendant knowingly² [sold] [gave] an alcoholic beverage³ to [the inmate] [another] [others] to give to the inmate]]. (*Name substance*) is an alcoholic beverage.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date (*name inmate*) was an inmate at (*name facility*) and that the defendant knowingly [sold] [gave] an alcoholic beverage to [the inmate] [another] [others] to give to the inmate]], it

1. G.S. 14-258.1(a) prohibits a person to give, sell, combine, confederate, conspire, aid, abet, solicit, urge, investigate, counsel, advise, encourage, attempt to procure or procure another or others to give or sell.

2. A person acts “knowingly” when the person is aware or conscious of what he or she is doing.

3. G.S. 14-258.1(a) excepts alcoholic beverages given or sold for medical purposes as prescribed by a duly licensed physician.

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(Continued)

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.