

N.C.P.I.–Crim 240.60
VIOLATION OF PERMANENT CIVIL NO-CONTACT ORDER.
MISDEMEANOR.
CRIMINAL VOLUME
JUNE 2016
N.C. Gen. Stat. § 50D-10

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NOTE WELL: N.C. Gen. Stat. § 50D provides that a permanent no-contact order is a permanent injunction for the lifetime of the offender that prohibits any contact by the offender with the victim of the sex offense for which the offender has been convicted.

The defendant has been charged with knowingly violating a permanent civil no-contact order.

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

First, that a permanent civil no-contact order was issued on (name date) in (name court) pursuant to North Carolina law.

Second, that the defendant violated the permanent civil no-contact order by (*describe conduct that would constitute a violation of the order*).

And Third, that while doing so the defendant acted knowingly¹. (Where a permanent civil no-contact order has been served on a defendant, you may presume that the defendant knew the specific terms of the permanent civil no-contact order.)

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant knowingly violated a permanent civil no-contact order by (*describe conduct*), 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 word “knowingly,” as used in the statute defining knowing violation of domestic violence protective order (DVPO), means that defendant knew what he was about to do, and, with such knowledge, proceeded to do the act charged. *State v. Williams*, 226 N.C. App. 393, 411, 741 S.E.2d 9, 22 (2013) (quoting *State v. Aguilar-Ocampo*, 219 N.C. App. 417, 427, 724 S.E.2d 117, 125 (2012)).