

WILLFULLY INJURING OR TAMPERING WITH OR REMOVING PARTS FROM A VEHICLE WITHOUT THE CONSENT OF THE OWNER. G.S. 20-107(a). MISDEMEANOR.

The defendant has been charged with willfully [injuring] [tampering with] [removing parts from] a vehicle without the consent of the owner.

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

First, that the defendant [injured] [tampered with] [broke or removed a part from] a vehicle.¹

Second, that the defendant acted willfully; that is, intentionally and without justification or excuse.

And Third, that the defendant acted without the consent of the owner.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant willfully [injured] [tampered with] [broke or removed a part from] a vehicle without the consent of the owner, it would be your duty to return a verdict of guilty. If you do not so find or if you have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

¹"Vehicle" is defined in G.S. 20-4.01(49) as "[e]very device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon fixed rails or tracks; provided that for the purposes of this chapter bicycles shall be deemed vehicles and every rider of a bicycle upon a highway shall be subject to the provisions of this chapter applicable to the driver of a vehicle except those which by their nature can have no application."

