

285.10 FALSE STATEMENTS NOT UNDER OATH WITH REGARD TO ABSENTEE BALLOTS. MISDEMEANOR.

The defendant has been charged with making false statements not under oath.

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

First, that the defendant willfully signed a [written] [printed] false statement.

Second, that the false statement was [not made under oath] [not duly sworn].

And Third, that the defendant did so for the purpose of [obtaining] [voting] any official ballot under North Carolina law<sup>1</sup>.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant willfully signed a [written] [printed] false statement, which was not [made under oath] [duly sworn], and that the defendant did so for the purpose of [obtaining] [voting] any official ballot under North Carolina law, 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, then you would return a verdict of not guilty.

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1. The statute refers to obtaining or voting official ballots which fall under Chapter 163 Article 20 of the North Carolina General Statutes. If appropriate, the court may decide to elaborate on the requirements outlined in Chapter 163 Article 20.

