

206.17 SOLICITATION TO COMMIT MURDER. FELONY.

NOTE WELL: N.C. Gen. Stat. § 14-18.1(a) has been repealed and solicitation to commit murder now falls under N.C. Gen. Stat. § 14-2.6. See also N.C.P.I.—Crim. 201.20 for the general solicitation charge.

The defendant has been charged with solicitation to commit murder.

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

First, that the defendant solicited; that is, urged or tried to persuade another person to murder the victim. Murder is the unlawful killing of another with malice and with a specific intent to kill formed after premeditation and deliberation.¹

And Second, that the defendant intended that the person he solicited murder the victim. (The State is not required to prove that the murder was committed.²)

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant solicited another person to murder the victim, intending that the murder be committed, then 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.

1. See *State v. Strickland*, 2022-NCCOA-299.

2. *State v. Furr*, 292 N.C. 711 (1977).

