

N.C.P.I.-Crim. 100.00

ADMONITION TO THE TRIAL JUDGE ON STATING THE EVIDENCE.

GENERAL CRIMINAL VOLUME

MAY 2005

N.C. Gen. Stat. §§ 15A-1232, 1A-1, RULE 51A (AS AMENDED, 1985).

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*NOTE WELL: Not to be read to the jury!!! This is for the guidance of the instructing judge only. All future pattern changes and replacements will contain no reference to the evidence, in compliance with the new statute.*

The presiding judge is not required to state the evidence nor to apply the law thereto under the new statutes (N.C. Gen. Stat. § 15A-1232 applicable to criminal cases; N.C. Gen. Stat. § 1A-1, Rule 51A applicable to civil cases).

The statutes and case law do not require that a judge state the contentions of the parties; it does require that if he states any, he must give equal stress to the contentions of all parties. It is unnecessary to state the contentions of the parties.