

N.C.P.I.-Crim. 101.42
MULTIPLE DEFENDANTS CHARGED WITH THE SAME CRIME - GUILT
DETERMINED SEPARATELY
GENERAL CRIMINAL VOLUME
June 2012

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NOTE WELL: Use this instruction where multiple defendants are charged with the same crime to explain to the jury that each defendant's guilt must be considered separately. See State v. Adams, 711 S.E.2d 770, 773 (N.C. Ct. App. 2011). The court may decide to instruct the jury on this point before and after instructing on the substantive charges.¹

Unless I tell you otherwise, you shall consider each instruction I give you separately and individually as it relates to each individual defendant.

[INSERT PROPER INSTRUCTIONS HERE]

Remember to consider each of the instructions I have just read to you in relation to each of the defendants both separately and individually.

And, you will consider the guilt or innocence of this defendant separately.

1. If the decision is made not to use this instruction, then a separate instruction for each charge should be given for each defendant.