

104.25 ACCOMPLICE TESTIMONY - FOR THE PROSECUTION.

You may find that a witness was an accomplice¹ in this case.² An accomplice is a person who joins with another in the commission of a crime. The accomplice may take part in acts necessary to accomplish the crime or may knowingly [help] [encourage] another in the crime, either before or during its commission. The law considers an accomplice to have an interest in the outcome of the case. If you find that a witness was an accomplice, you should examine every part of the testimony of the witness with the greatest care and caution. After doing so, if you believe the testimony in whole or in part, you should treat what you believe the same as any other believable evidence.

1. It is not error to fail to give this instruction unless requested. *State v. King and McDougald*, 21 N.C. App. 549 (1974).

2. See *State v. Rowsey*, 343 N.C. 603 (1996).