

105.20 IMPEACHMENT OR CORROBORATION BY PRIOR STATEMENT.

Evidence has been received tending to show that at an earlier time a witness made a statement which may conflict or be consistent with the testimony of the witness at this trial.<sup>1</sup> You must not consider such earlier statement as evidence of the truth of what was said at that earlier time because it was not made under oath at this trial. If you believe the earlier statement was made, and that it conflicts or is consistent with the testimony of the witness at this trial, you may consider this, and all other facts and circumstances bearing upon the witness's truthfulness, in deciding whether you will believe or disbelieve the witness's testimony.

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1. This instruction combines former N.C.P.I.-Crim. 105.05 (deleted) and 105.20.