

206.61 MURDER OF UNBORN CHILD - INHERENTLY DANGEROUS ACT.
FELONY.

The defendant has been charged with the murder of an unborn child¹ by an act inherently dangerous to human life.

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

First, that the defendant's act(s) caused the death of an unborn child.²

Second, that the defendant's act(s) was inherently dangerous to human life by (*describe conduct*).

And Third, that the defendant's act(s) was done so recklessly and wantonly that it reflected a disregard of life. An act is done recklessly and wantonly when it is done with knowledge or reasonable grounds to believe that the act would endanger the rights or safety of others, or when it is done carelessly and heedlessly in willful or wanton disregard of the rights or safety of others.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant committed an act inherently dangerous to human life, that was done so recklessly and wantonly that the act reflected a disregard of life, and that defendant's act(s) caused the death of an unborn child 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 N.C. Gen. Stat. § 14-23.7 for exceptions from prosecution for this offense.

2 An unborn child means a member of the species *homo sapiens* at any stage of development, who is carried in the womb.