

208.16 FELONIOUS ASSAULT INFLICTING SERIOUS BODILY INJURY.¹
FELONY.

NOTE WELL: Assault inflicting serious injury may be a lesser included offense.

The defendant has been charged with assault inflicting serious bodily injury.

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

First, that the defendant assaulted the victim by intentionally² (and without justification or excuse)³ (*describe assault*).

And Second, that the defendant inflicted serious bodily injury. Serious bodily injury is injury that creates or causes [a substantial risk of death] [serious permanent disfigurement] [coma] [a permanent or protracted condition that causes extreme pain] [permanent or protracted loss or impairment of the function of any bodily member or organ] [prolonged hospitalization].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant intentionally assaulted the victim inflicting serious bodily injury, (nothing else appearing) 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. For lesser included offense, see N.C.P.I.-Crim. 208.60.

2. If a definition of intent is required, see N.C.P.I.-Crim. 120.10.

N.C.P.I.-Crim. 208.16
FELONIOUS ASSAULT INFLICTING SERIOUS BODILY INJURY. FELONY.
GENERAL CRIMINAL VOLUME
MARCH 2002
N.C. Gen. Stat. § 14-32.4

3. The parenthetical phrase should be used only where there is some evidence of justification or excuse, such as self-defense.