

N.C.P.I.—Criminal 208.95E

[SERIOUS BODILY INJURY INFLICTED] [DEADLY WEAPON USED OTHER THAN A FIREARM] IN ASSAULT ON [FIREFIGHTER] [EMERGENCY MEDICAL TECHNICIAN] [EMERGENCY HEALTH CARE PROVIDER] [MEDICAL RESPONDER] [EMERGENCY DEPARTMENT PERSONNEL]. FELONY.

GENERAL CRIMINAL VOLUME

JUNE 2012

G.S. 14-34.6 (b)

[SERIOUS BODILY INJURY INFLICTED] [DEADLY WEAPON USED OTHER THAN A FIREARM] IN ASSAULT ON [FIREFIGHTER] [EMERGENCY MEDICAL TECHNICIAN] [EMERGENCY HEALTH CARE PROVIDER] [MEDICAL RESPONDER] [EMERGENCY DEPARTMENT PERSONNEL]. FELONY.

The defendant has been charged with [inflicting serious bodily injury] [using a deadly weapon other than a firearm] in the assault on [[[an emergency medical technician] [an emergency health care provider]] [a medical responder] [an emergency department [physician] [physician assistant] [nurse] [licensed nurse practitioner]] [a firefighter]].

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

First, that the victim was [[[an emergency medical technician] [an emergency health care provider]] [a medical responder] [an emergency department [physician] [physician assistant] [nurse] [licensed nurse practitioner]] [a firefighter]]¹;

Second, that the defendant [assaulted] [[[an emergency medical technician] [an emergency health care provider]] [a medical responder] [an

1 G.S. 14-34.6 (a)(3) defines emergency department personnel.

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 emergency department [physician] [physician assistant] [nurse] [licensed nurse practitioner]] [a firefighter]] by (*describe assault*);

Third, that the defendant [inflicted serious bodily injury] [used a deadly weapon other than a firearm] in this assault. (Serious bodily injury is bodily 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, or prolonged hospitalization). (A deadly weapon is a weapon which is likely to cause death or serious bodily injury);

Fourth, that the defendant knew or had reasonable grounds to know that the victim was [[[an emergency medical technician] [an emergency health care provider]] [a medical responder] [an emergency department [physician] [physician assistant] [nurse] [licensed nurse practitioner]] [a firefighter]]];

And Fifth, that the defendant did so while the [[[emergency medical technician] [emergency health care provider]] [medical responder] [emergency department [physician] [physician assistant] [nurse] [licensed nurse practitioner]] [firefighter]] was [discharging] [attempting to

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 discharge] [his] [her] official duties (*Describe duties, e.g., controlling and extinguishing fires is a duty of a firefighter*).

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the victim was [[[an emergency medical technician] [an emergency health care provider]]] [a medical responder] [an emergency department [physician] [physician assistant] [nurse] [licensed nurse practitioner]]] [a firefighter]], that the defendant [assaulted] [[[an emergency medical technician] [an emergency health care provider]]] [a medical responder] [an emergency department [physician] [physician assistant] [nurse] [licensed nurse practitioner]]] [a firefighter]], that the defendant [inflicted serious bodily injury] [used a deadly weapon other than a firearm], that the defendant knew or had reasonable grounds to know that the victim was [[[an emergency medical technician] [an emergency health care provider]]] [a medical responder] [an emergency department [physician] [physician assistant] [nurse] [licensed nurse practitioner]]] [a firefighter]], and that the defendant did so while the [[[emergency medical technician] [emergency health care provider]]] [medical responder] [emergency department [physician] [physician assistant] [nurse] [licensed nurse practitioner]]] [firefighter]] was [discharging] [attempting to

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discharge] [his] [her] official duties, 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, then it would be your duty to return a verdict of not guilty.