

N.C.P.I.-Crim. 213.25
MALICIOUSLY DAMAGING CHURCH OR OTHER BUILDING OF WORSHIP BY
USE OF AN EXPLOSIVE OR INCENDIARY DEVICE. FELONY.
GENERAL CRIMINAL VOLUME
JANUARY 2004
N.C. Gen. Stat. § 14-49(b1)

213.25 MALICIOUSLY DAMAGING CHURCH OR OTHER BUILDING OF
WORSHIP BY USE OF AN EXPLOSIVE OR INCENDIARY DEVICE. FELONY.

The defendant has been charged with willfully and maliciously
[damaging] [aiding the damaging of] [counseling the damaging of]
[procuring the damaging of] a [church] [chapel] [synagogue] [mosque]
[masjid] [other building of worship].

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

First, that the defendant [damaged] [aided the damaging of]
[counseled the damaging of] [procured the damaging of] a [church]
[chapel] [synagogue] [mosque] [masjid] [other building of worship].

Second, that damage to the [church] [chapel] [synagogue][mosque]
[masjid] [other building of worship] was caused by the use of an
explosive or incendiary device. (*Name device*) is an explosive or
incendiary device.¹

Third, that the defendant acted willfully; that is, intentionally and
without justification or excuse.

And Fourth, that the defendant acted maliciously. Malice means not
only hatred, ill will, or spite as it is ordinarily understood- to be sure,
that is malice, but it also means that condition of mind which prompts a
person to intentionally cause damage without just cause, excuse, or
justification.

If you find from the evidence beyond a reasonable doubt that on or
about the alleged date the defendant willfully [damaged] [aided the
damaging of] [counseled the damaging of] [procured the damaging of] a

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[church] [chapel] [synagogue] [mosque] [masjid] [other building of
worship] and that damage occurred which was caused by the use of an
explosive or incendiary device, 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. Where the explosive or incendiary character of the device cannot be determined
as a matter of law, this sentence should not be given. See N.C. Gen. Stat. § 14-50.1 for
definition of explosive or incendiary device or material.