

N.C.P.I.-Crim. 214.50  
(MISDEMEANOR) OPENING COIN- OR CURRENCY-OPERATED MACHINES BY  
UNAUTHORIZED USE OF [A KEY] [AN INSTRUMENT].  
GENERAL CRIMINAL VOLUME  
MAY 2002  
N.C. Gen. Stat. § 14-56.1  
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214.50 (MISDEMEANOR) OPENING COIN- OR CURRENCY-OPERATED  
MACHINES BY UNAUTHORIZED USE OF [A KEY] [AN INSTRUMENT].

*NOTE WELL: This instruction is also to be used when  
the defendant admits a previous conviction under N.C.  
Gen. Stat. § 14-56.1. See N.C. Gen. Stat. § 15A-928.*

The defendant has been charged with opening a [coin] [currency] -  
operated machine<sup>1</sup> by the unauthorized use of [a key] [an instrument].

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

First, that the defendant opened a [coin] [currency] -operated  
machine. (*Describe machine*) is a [coin] [currency] - operated machine.<sup>1</sup>

Second, that the defendant did this by use of a [key] [*describe  
instrument*)].

Third, that the defendant was not authorized to use this [key]  
[*describe instrument*)] in such manner.

And Fourth, that at the time the defendant opened the machine, he  
intended to steal money or property from it; that is, *he* intended to  
deprive the rightful owner permanently of possession of the money or  
property.

If you find from the evidence beyond a reasonable doubt that on or  
about the alleged date, the defendant opened (*describe coin- or  
currency-operated machine*), and that *he* did so by use of a(n) [key]  
[instrument] and that the defendant was not authorized to use this [key]  
[instrument] in such manner, and that at the time the defendant opened  
the machine *he* intended to steal money or property contained therein, it

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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.

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1. N.C. Gen. Stat. § 14-56.1 defines "coin- or currency-operated machine" as any coin- or currency-operated vending machine, pay telephone, telephone coin or currency receptacle, or other coin- or currency-activated machine or device.