

N.C.P.I.-Crim. 214.55  
(MISDEMEANOR) BREAKING INTO COIN- OR CURRENCY-OPERATED  
MACHINES.  
GENERAL CRIMINAL VOLUME  
MAY 2002  
N.C. Gen. Stat. §§ 14-56.1, 14-56.3  
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214.55 (MISDEMEANOR) BREAKING INTO COIN- OR CURRENCY-  
OPERATED MACHINES. N.C. Gen. Stat. § 14-56.1, N.C. Gen. Stat. § 14-  
56.3<sup>1</sup>

*NOTE WELL: This instruction is also to be used when  
the defendant admits a previous conviction under N.C.  
Gen. Stat. §§ 14-56.1 or 14-56.3. See N.C. Gen. Stat.  
§ 15A-928.*

The defendant has been charged with forcibly breaking into a [coin]  
[currency] -operated machine.

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

First, that the defendant broke into a [coin] [currency] -operated  
machine. (*Describe machine*) is a [coin] [currency] -operated machine.

Second, that the defendant did so forcibly. (*Describe how breaking  
occurred*) would be a forcible breaking.<sup>2</sup>

Third, that no authorized person consented to this forcible  
breaking.

And Fourth, that at the time the defendant broke into 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 forcibly broke into a [coin]  
[currency] -operated machine without authority, intending at that time to  
steal money or property contained therein, it would be your duty to return  
a verdict of guilty. If you do not so find or have a reasonable doubt as to

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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. N.C. Gen. Stat. § 14-56.3 applies to "any vending or dispensing machine or device which is operated or activated by the use, deposit or insertion of United States paper currency."

2. If the breaking is disputed, state what would and what would not be a forcible breaking.