

N.C.P.I.-Crim. 216.50
WILLFULLY CONCEALING THE MERCHANDISE OF A STORE-SHOPLIFTING.
MISDEMEANOR.
GENERAL CRIMINAL VOLUME
MARCH 2003
N.C. Gen. Stat. § 14-72.1(a)

216.50 WILLFULLY CONCEALING THE MERCHANDISE OF A STORE -
SHOPLIFTING. MISDEMEANOR.¹

NOTE WELL: See N.C. Gen. Stat. § 15A-928 for provisions regarding indictment, bifurcated trial, verdict and judgment.

The defendant has been charged with willfully concealing the goods or merchandise of a store.

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

First, that the defendant concealed [goods] [merchandise] of a store.

Second, that the defendant acted without authority.

Third, that at that time, the defendant had not purchased the [goods] [merchandise].

Fourth, that at that time, the defendant was still upon the premises of the store.

And Fifth, that the defendant acted willfully, that is intentionally and without justification or excuse. (If you find from the evidence beyond a reasonable doubt that the [goods] [merchandise] were found concealed upon or about the defendant's person and that the [goods] [merchandise] had not been purchased by the defendant, you may infer that the concealment was willful. However, you are not compelled to do so. You will consider this evidence together with all of the other evidence in the case in determining whether the concealment was willful.)

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If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant, without authority, willfully concealed [goods] [merchandise] of a store which at that time the defendant had not purchased, and that at that time *he* was still upon the premises of the store, 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 a first conviction under this section, the defendant shall be guilty of a Class 3 misdemeanor. In certain circumstances, a second offense will be punished as a Class 2 misdemeanor and a third or subsequent offense will be punished as a Class 1 misdemeanor. N.C. Gen. Stat. § 14-72.1(e).