

N.C.P.I.-Crim. 216.81  
[PURCHASING] [RECEIVING] OF REGULATED METALS BY SECONDARY  
METALS RECYCLERS FROM (A) MINOR(S). MISDEMEANOR.  
GENERAL CRIMINAL VOLUME  
JUNE 2008  
N.C. Gen. Stat. § 66-11(d)(1)  
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216.81 [PURCHASING] [RECEIVING] OF REGULATED METALS BY  
SECONDARY METALS RECYCLERS FROM (A) MINOR(S).<sup>1</sup> MISDEMEANOR.

The defendant has been charged with knowingly and willfully purchasing regulated metals<sup>2</sup> from (a) minor(s) from other than a fixed location<sup>3</sup>.

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

First, that the defendant purchased regulated metals from other than a fixed location.

Second, that the defendant purchased regulated metals from (a) minor(s).

And Third, that the defendant acted knowingly and willfully.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant knowingly and willfully purchased from (a) minor(s) regulated metals from other than a fixed location, 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.

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1. This provision does not apply to the purchase of aluminum in the form of beverage or food cans. N.C. Gen. Stat. § 66-11(d)(1)

2. "Regulated metals property" means all ferrous and nonferrous metals. N.C. Gen. Stat. § 66-1(a)(2).

3. "Fixed location" means any site occupied by a secondary metals recycler as the owner of the site or as a lessee of the site under a lease or other rental agreement providing for occupation of the site by the secondary metals recycler for a total duration of

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not less than 364 days. N.C. Gen. Stat. § 66-11(a)(4)