

218.21 UNAUTHORIZED ISSUANCE OF CORPORATE INSTRUMENTS.
FELONY.

The defendant has been charged with unauthorized issuance of (a) corporate instrument(s) with intent to [injure] [defraud] [deceive] any person.

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

First, that (*name corporation*) was a corporation.

Second, that the defendant was the [president] [director] [cashier] [teller] [clerk] [agent] of that corporation.

Third, that the defendant

[a. [issued] [put forth] a certificate of deposit]

[b. drew a(n) [order] [bill of exchange]]

[c. made an acceptance]

[d. assigned a [note][bond] [draft] [bill of exchange] [mortgage] [judgment] [decree]] on behalf of the corporation.

Fourth, that the defendant [issued] [drew] [made] [assigned] the corporate instrument without authority from the directors of the corporation.

And Fifth, that the defendant intended¹ to [injure] [defraud] [deceive] any [person] [corporation].²

If you find from the evidence beyond a reasonable doubt that on or

about the alleged date, (*name corporation*) was a corporation, that the defendant was the [president] [director] [cashier] [teller] [clerk] [agent] of that corporation, and that the defendant, without authority from the directors of the corporation, [issued] [drew] [made] [assigned] (a) (*name corporate instrument(s)*) with the intent to [injure] [defraud] [deceive] any[person] [corporation], 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 definition of intent see N.C.P.I.-Crim. 120.10.

2. N.C. Gen. Stat. § 14-254(b) defines the person to be defrauded, injured or deceived.