

N.C.P.I.-Crim. 219B.10
CREDIT CARD (FINANCIAL TRANSACTION CARD) THEFT. FELONY.
GENERAL CRIMINAL VOLUME
APRIL 2003
N.C. Gen. Stat. § 14-113.9(a)(1)

219B.10 CREDIT CARD (FINANCIAL TRANSACTION CARD¹) THEFT.
FELONY.

The defendant has been charged with credit card theft.

Now I charge that for you to find the defendant guilty of credit card theft, the State must prove three things beyond a reasonable doubt:

First, that the defendant took (*describe credit card*)² from the [possession] [custody] [control] of another.

Second, that the cardholder did not consent to the taking.

And Third, that the defendant intended to use it.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant took a (*describe credit card*)² from another without the cardholder's consent, with the intent to use it, 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. N.C. Gen. Stat. § 14-113.8(4) defines "financial transaction card" which includes a "credit card."

2. Describe card so as to indicate who is the cardholder, that is, one named on the face of the card or for whose benefit it was issued. N.C. Gen. Stat. § 14-113.8(2).