

N.C.P.I.-Crim. 219B.20
CREDIT CARD (FINANCIAL TRANSACTION CARD) THEFT-USE OF LOST,
MISLAID, OR MISTAKENLY DELIVERED CARD. FELONY.
GENERAL CRIMINAL VOLUME
APRIL 2003
N.C. Gen. Stat. § 14-113.9(a)(2)

219B.20 CREDIT CARD (FINANCIAL TRANSACTION CARD¹) THEFT - USE
OF LOST, MISLAID, OR MISTAKENLY DELIVERED CARD. FELONY.

The defendant has been charged with credit card theft by using a
[lost] [mislaid] [mistakenly delivered] credit card.

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

First, that the defendant received; that is, obtained possession of
(*describe credit card*).²

Second, that the credit card was [lost] [mislaid] [delivered under a
mistake as to the identity or address of the cardholder].

Third, that the defendant knew that the credit card was [lost]
[mislaid] [mistakenly delivered].

And Fourth, that the defendant retained the card with the intent to
[sell it] [use it] [transfer it to someone other than the cardholder or the
issuer].

If you find from the evidence beyond a reasonable doubt that on or
about the alleged date, the defendant received (*describe credit card*),¹
which the defendant knew had been [lost] [mislaid] [mistakenly
delivered] and that the defendant intended to [sell it] [use it] [transfer it
to someone other than the cardholder or the issuer], 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. 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).