

N.C.P.I.-Crim. 219B.26
CREDIT CARD (FINANCIAL TRANSACTION CARD) THEFT-SELLING A CREDIT
CARD. FELONY.
GENERAL CRIMINAL VOLUME
MAY 2003
N.C. Gen. Stat. § 14-113.9(a)(3)

219B.26 CREDIT CARD (FINANCIAL TRANSACTION CARD)¹ THEFT -
SELLING A CREDIT CARD. FELONY.

*NOTE WELL: The contradiction in terms making the
unlawful selling of the credit card a "theft", is as the
statute dictates.*

The defendant has been charged with credit card theft by unlawfully
selling a credit card.

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

First, that the defendants sold a (*describe credit card*)² to another.

And Second, that the defendant was neither the credit card issuer
nor the authorized agent of the credit card issuer.

If you find from the evidence beyond a reasonable doubt that on or
about the alleged date, the defendant sold a credit card to another and
was neither the credit card issuer nor an authorized agent of the credit
card 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.

1. N.C. Gen. Stat. § 14-113.8(4) defines "financial transaction card" which includes
a "credit card."

2. Describe credit card so as to indicate who is the issuer; that is, the business
organization or financial institution or its duly authorized agent that issued the financial
transaction card. N.C. Gen. Stat. § 14-113.8(5).