

220.80 EXTORTION. FELONY.

The defendant has been charged with extortion.

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

First, that the defendant [threatened] [communicated (a) threat(s) to] the victim. ((*Describe threat*) is a threat.)¹

Second, that the defendant did this with the intent to obtain [something of value] [an acquittance] [an advantage] [an immunity]. ((*Describe object of threats*) is [something of value]² [an acquittance] [an advantage] [an immunity].)

And Third, that the defendant intended to obtain (*describe object of threats*) wrongfully, that is, knowing that *he* was not entitled to obtain it in this manner.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant threatened the victim by (*describe threat*) with the intent to obtain [something of value] [an acquittance] [an advantage] [an immunity] wrongfully, 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. A threat to do something which the defendant has a right or even a duty to carry out will suffice if it is used to wrongfully obtain an advantage, *e.g.*, a policeman who threatens to arrest a thief unless the thief gives all of the stolen money to the policeman.

2. The statute appears to cover an intent temporarily as well as permanently to deprive the rightful owner of possession.

N.C.P.I.-Crim. 220.80
EXTORTION. FELONY.
GENERAL CRIMINAL VOLUME
MAY 2003
N.C. Gen. Stat. § 14-118.4
