

221.10 FORGERY OF NOTES, CHECKS, AND OTHER SECURITIES. FELONY.

The defendant has been charged with forgery of a(n) (*name instrument*)¹.

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

First, that the defendant [manufactured] [copied] [reproduced] [forged] a(n) (*name instrument*) that purports to be genuine.

(When one is found in the possession of a forged instrument and is endeavoring to obtain money or advances upon it, you may infer that he/she either forged or consented to the forging of such instrument, but you are not compelled to do so. You may consider this together with all the other evidence.²)

Second, that the instrument was not genuine because it had been falsely [copied] [reproduced] [forged] [manufactured] [embossed] [encoded] [duplicated] [altered].

And Third, that the defendant intended to [injure] [defraud] any [person] [financial institution³] [governmental unit⁴].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant, [manufactured] [copied] [reproduced] [forged] a(n) (*name instrument*) that purports to be genuine but was not because it had been falsely [copied] [reproduced] [forged] [manufactured] [embossed] [encoded] [duplicated] [altered] and that the defendant intended to [injure] [defraud] any [person] [financial institution] [governmental unit], 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

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more of these things, it would be your duty to return a verdict of not guilty.

1. For a definition of "instrument: see N.C. Gen. Stat. § 14-119(c)(4).

2. The portion in parentheses may be appropriate where defendant had possession of the forged instrument and there is not direct evidence that he forged it. *S. v. Welch*, 266 N.C. 291, 295 (1966).

3. For definition of "financial instituytion" see N.C. Gen. Stat. § 14-119(c)(2).

4. For Definition of "Governmental unit" see N.C. Gen. Stat. § 14-119(c)(3).