

N.C.P.I.-Crim. 221.40
FORGERY OF DEEDS, WILLS AND CERTAIN OTHER INSTRUMENTS.
FELONY.
GENERAL CRIMINAL VOLUME
MAY 2003
N.C. Gen. Stat. § 14-122

221.40 FORGERY OF DEEDS, WILLS AND CERTAIN OTHER INSTRUMENTS.¹
FELONY.

The defendant has been charged with forgery of an instrument.

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

First, that the defendant falsely [made] [altered] a (*name instrument*) by (*describe conduct*).²

(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* either forged or consented to the forging of such instrument but you are not compelled to do so. You may consider this with all the other evidence.)³

Second, that at the time the defendant falsely [made] [altered] the instrument *he* intended⁴ to defraud.

And Third, that the (*name instrument*) appeared to be genuine.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant (*describe conduct*) intending to defraud, falsely [made] [altered] a(n) (*name instrument*) which appeared to be genuine, it would be your duty to return a verdict of guilty. If you do not so find or if you 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. The statute covers a deed, lease, will, bond, writing obligatory, bill of exchange, promissory note, endorsement or assignment thereof, any acquittance, receipt for money or goods, receipt or release for a bond, note bill or any other security for the payment of

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money, or any order for the payment of money or delivery of goods.

2. The statute also forbids causing or knowingly assenting to a forgery.

3. 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.

4. If a definition of intent is needed see N.C.P.I.-Crim. 120.10.