

222.19 MISDEMEANOR INJURY TO FENCES OR WALLS. MISDEMEANOR.

NOTE WELL: If more than five thousand dollars (\$5,000) of damage resulted, use N.C.P.I.-222.18.

The defendant has been charged with unlawfully and willfully [burning] [destroying] [pulling down] [defacing] [injuring] [removing] a [[fence] [wall] [other enclosure (*describe enclosure*)]] [surrounding] [about] a [yard] [garden] [cultivated field or pasture] [church] [graveyard] [factory] [house in which machinery is used] resulting in any damage.

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

First, that the defendant willfully, that is without justification or excuse, [burned] [destroyed] [pulled down] [defaced] [injured] [removed] a [[fence] [wall] [other enclosure (*describe enclosure*)]] [surrounding] [about] a [yard] [garden] [cultivated field or pasture] [church] [graveyard] [factory] [house in which machinery is used].

And Second, that the defendant's action resulted in any damage.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant willfully [burned] [destroyed] [pulled down] [defaced] [injured] [removed] a [[fence] [wall] [other enclosure (*describe enclosure*)]] [surrounding] [about] a [yard] [garden] [cultivated field or pasture] [church] [graveyard] [factory] [house in which machinery is used] and that the defendant's action resulted in any damage, 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 both of these things, it would be your duty to return a verdict of not guilty.