N.C.P.I.-Crim. 222.41
SETTING FIRE TO [GRASSLAND] [BRUSHLAND] [WOODLAND] WITH
INTENT TO DAMAGE THE PROPERTY OF ANOTHER. FELONY.
GENERAL CRIMINAL VOLUME
MARCH 2003
N.C. Gen. Stat. § 14-136

222.41 SETTING FIRE TO [GRASSLAND] [BRUSHLAND] [WOODLAND]
WITH INTENT TO DAMAGE THE PROPERTY OF ANOTHER. FELONY.

The defendant has been charged with setting fire to [grassland] [brushland] [woodland] with intent to damage the property of another.

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

First, that the defendant intentionally set fire to (*describe property*).

Second, that the property was [grassland] [brushland] [woodland].[1]

Third, that this property was the property of another.

And Fourth, that the defendant intended to damage the property of another.[2]

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant intentionally set fire to (*describe property*), which was [grassland] [brushland] [woodland] of another, and that the defendant intended to damage the property of another, 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.[3]

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1. N.C. Gen. Stat. § 14-136 defines "woodland" to include "all forest areas, both timber and cutover land, and all second-growth on areas that have at one time been cultivated." The statute does not define "grassland" or "brushland."

2. If further instructions on intent are necessary, *see* N.C.P.I.-Crim. 120.10.

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3. If lesser included offense instructions are to be given, the last phrase should be, "you will not return a verdict of guilty of setting fire to [grassland] [brushland] [woodland] with intent to damage the property of another."