

N.C.P.I.-Crim. 222.66  
TRESPASSING FOR THE PURPOSE OF [RAKING] [REMOVING] PINE STRAW.  
MISDEMEANOR.  
GENERAL CRIMINAL VOLUME  
JUNE 2012  
N.C. Gen. Stat. § 14-159.6 (b)  
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222.66 TRESPASSING FOR THE PURPOSE OF [RAKING] [REMOVING] PINE STRAW. MISDEMEANOR.

The defendant has been charged with trespassing for the purpose of [raking] [removing] pine straw.<sup>1</sup>

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

First, that the defendant willfully went on the land of another;

Second, that the land had been posted by (*describe method of posting under N.C. Gen. Stat. § 14-159.7 (1)*);

Third, that the defendant [raked] [removed] [pine needles] [pine straw] from the land;

And Fourth, that the defendant went on the land of another without the written consent of the [owner] [owner's agent].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant willfully went on the land of another, that the land had been posted by (*describe method of posting under N.C. Gen. Stat. § 14-159.7 (1)*), that the defendant [raked] [removed] [pine needles] [pine straw], and that the defendant did so without the written consent of the [owner] [owner's agent], 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, then it would be your duty to return a verdict of not guilty.

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1. N.C. Gen. Stat. § 14-159.6 (c) states that "It is an affirmative defense to a prosecution under subsection (a) or (b) of this section that the person had in fact obtained prior permission of the owner, lessee, or agent as required by those subsections but did not have on his or her person valid written permission at the time of citation or arrest."