

N.C.P.I.-Crim. 222.75  
COLLECTION OF [SEISMIC] [GEOPHYSICAL] DATA ON ANOTHER'S  
PROPERTY WITHOUT WRITTEN CONSENT. MISDEMEANOR.  
GENERAL CRIMINAL VOLUME  
JUNE 2015  
N.C. Gen. Stat. § 113-395.4  
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222.75 COLLECTION OF [SEISMIC] [GEOPHYSICAL] DATA ON ANOTHER'S  
PROPERTY WITHOUT WRITTEN CONSENT.

The defendant has been charged with the collection of [seismic]  
[geophysical] data on another's property without written consent.

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

First, that the defendant collected [seismic] [geophysical] data<sup>1</sup>.

Second, this was through the physical entry of land.

And Third, the defendant did so knowingly and without written  
consent of the landowner.

If you find from the evidence beyond a reasonable doubt that on or  
about the alleged date the defendant collected [seismic] [geophysical]  
data through the physical entry of land without the written consent of the  
landowner, 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.

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<sup>1</sup> Persons conducting seismic and geophysical data collection may only conduct  
such activity by undershooting from an off-site location and without physical entry to  
private land, unless the landowner's consent for such activity is obtained in writing and  
persons conducting seismic or geophysical data collection shall be civilly liable for any  
physical or property damage determined to be a direct result of their seismic or geophysical  
data collection activities, whether or not the seismic or geophysical data collection was  
conducted by undershooting the land at an off-site location or by physical entry to land as  
permitted by the landowner.