

N.C.P.I.-Crim. 223.20A
[ALTERATION] [DESTRUCTION] [REMOVAL] OF PERMANENT
IDENTIFICATION MARKS FROM PERSONAL PROPERTY WORTH MORE THAN
\$1,000. FELONY.
GENERAL CRIMINAL VOLUME
JUNE 2022
N.C. Gen. Stat. § 14-160.1(a), (c)

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NOTE WELL: Effective December 1, 2021 applying to offenses committed on or after that date. S.L. 2021-36 amended N.C.G.S. § 14-160.1(c) to increase the punishment for altering, destroying, or removing permanent personal identification marks from personal property.

The defendant has been charged with felonious [altering] [destroying] [defacing] [removing] a permanent identification mark from an item of personal property worth more than \$1,000.

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

First, that (*describe personal property*) was marked with a [permanent serial number] [manufacturer's identification plate] [permanent distinguishing number or identification mark].

Second, that the defendant [altered] [destroyed] [defaced] [removed] this [permanent serial number] [manufacturer's identification plate] [permanent distinguishing number or identification mark].

Third, that the defendant did this with the intent to [conceal] [misrepresent] the identity of the personal property.

And Fourth, that the personal property was worth more than \$1,000.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date (*describe item of personal property*) was marked with a [permanent serial number] [manufacturer's identification plate] [permanent distinguishing number or identification mark] which the defendant [altered] [destroyed] [defaced] [removed] with the intent to [conceal] [misrepresent] its identity, and that personal property was

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worth more than \$1,000, it would be your duty to return a verdict of guilty. However, if you do not so find or have a reasonable doubt as to one or more of these things, you will not return a verdict of guilty of felonious [altering] [destroying] [defacing] [removing] a permanent identification mark from an item of personal property, but must determine whether the defendant is guilty of non-felonious [altering] [destroying] [defacing] [removing] a permanent identification mark from an item of personal property.¹ Non-felonious [altering] [destroying] [defacing] [removing] a permanent identification mark from an item of personal property differs from felonious [altering] [destroying] [defacing] [removing] a permanent identification mark from an item of personal property in that the property need not be worth more than \$1,000.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date (*describe item of personal property*) was marked with a [permanent serial number] [manufacturer's identification plate] [permanent distinguishing number or identification mark] which the defendant [altered] [destroyed] [defaced] [removed] with the intent to [conceal] [misrepresent] its identity, it would be your duty to return a verdict of guilty of non-felonious [altering] [destroying] [defacing] [removing] a permanent identification mark from an item of personal property. However, 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.

1. Misdemeanor altering, destroying, or removing permanent personal identification marks from personal property is a lesser-included offense. N.C.G.S. § 14-160.1(c); *see also* N.C.P.I.—Crim. 223.20.