

N.C.P.I.-Crim. 224.25
FAILURE TO RETURN [RENTED] [HIRED] [LEASED] MOTOR VEHICLE
VALUED IN EXCESS OF \$4,000. FELONY; MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2006
N.C. Gen. Stat. § 14-167

224.25 FAILURE TO RETURN [RENTED] [HIRED] [LEASED] MOTOR
VEHICLE VALUED IN EXCESS OF \$4,000. FELONY; MISDEMEANOR.

The defendant has been charged with willfully failing to return a [rented] [hired] [leased] [[truck] [automobile] [(describe other motor vehicle)]] valued in excess of four thousand dollars (\$4,000).

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

First, that the defendant [rented] [hired] [leased] a [truck] [automobile] [(describe other motor vehicle)] from the victim.

Second, that the vehicle was valued in excess of four thousand dollars (\$4,000) at the time of the [rental] [hiring] [leasing].

Third, that on (*name date*), the personal property was due to be returned to the possession of the owner.¹

And Fourth, that the defendant willfully, that is intentionally, failed to return it as required by the agreement.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [rented] [hired] [leased] a [truck] [automobile] [(describe other motor vehicle)] valued in excess of four thousand dollars (\$4,000) from the victim that was to be returned according to parties' agreement by (*name date*), that the defendant willfully failed to return it by that date, it would be your duty to return a verdict of guilty of felonious failure to return a [rented] [hired] [leased] vehicle. If you do not so find or have a reasonable doubt as to one or more of these things, then you would not return a verdict of guilty of felonious failure to return a [rented] [hired] [leased] vehicle but would

N.C.P.I.-Crim. 224.25
FAILURE TO RETURN [RENTED] [HIRED] [LEASED] MOTOR VEHICLE
VALUED IN EXCESS OF \$4,000. FELONY; MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2006
N.C. Gen. Stat. § 14-167

consider whether defendant is guilty of non-felonious failure to return a hired vehicle which differs from the felony in that the [truck] [automobile] [*describe other motor vehicle*] need not be valued in excess of four thousand dollars (\$4,000).

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [rented] [hired] [leased] a [truck] [automobile] [*describe other motor vehicle*] from the victim that was to be returned by (*name date*), and that the defendant willfully failed to return it by that date, it would be your duty to return a verdict of guilty of non-felonious failure to return a [rented] [hired] [leased] motor vehicle. If you do not so find or have reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

1. Returning possession to an agent may constitute returning possession to the victim.