

226.75 SECRETLY PEEPING INTO ROOM OCCUPIED BY ANOTHER PERSON.
MISDEMEANOR.

The defendant has been charged with secretly peeping into a room occupied by another person.

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

First, that he peeped; that is intentionally looked slyly or cautiously into a room.

Second, that the peeping was done secretly.

Third, that the victim was in the room at the time of the peeping.

And Fourth, that the victim had a legitimate expectation of privacy at that time¹.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant secretly peeped into a room which was occupied by a person having a legitimate expectation of privacy at that time, 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.

1. *In re Banks*, 295 N.C. 236 (1978).