

233.81 FURNISHING A DEADLY WEAPON, CARTRIDGE OR AMMUNITION TO AN INMATE. FELONY.

NOTE WELL: If the offense involves furnishing a controlled substance to an inmate, use N.C.P.I.—Crim. 233.80. If the offense involves furnishing an alcoholic beverage to an inmate, use N.C.P.I.—Crim. 233.82. If the offense involves furnishing a tobacco product to an inmate, use N.C.P.I.—Crim. 233.83. If the offense involves furnishing a cell phone to an inmate, use N.C.P.I.—Crim. 233.84.

The defendant has been charged with furnishing¹ a [deadly weapon] [cartridge for a firearm] [ammunition for a firearm] to an inmate of a [[charitable] [mental] [penal] institution] [local confinement facility].

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

First, that (*name inmate*) was an inmate of a [[charitable] [mental] [penal] institution] [local confinement facility]. (*Name facility*) is a [[charitable] [mental] [penal] institution] [local confinement facility].

And Second, that while said inmate was an inmate of (*name facility*), the defendant knowingly² [sold] [gave] a [deadly weapon] [cartridge for a firearm] [ammunition for a firearm] to [the inmate] [another] [others] to give to the inmate]]. ([[*Name item*] is a deadly weapon.]³ [A deadly weapon is a weapon which is likely to cause death or serious bodily injury.]])

If you find from the evidence beyond a reasonable doubt that on or about the alleged date (*name inmate*) was an inmate at (*name facility*) and that the defendant furnished by knowingly selling or giving a [deadly weapon] [cartridge for a firearm] [ammunition for a firearm] to [the inmate] [another] [others] to give to the inmate]], 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

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or more of these things, it would be your duty to return a verdict of not guilty.

1. G.S. 14-258.1(a) prohibits a person to give, sell, combine, confederate, conspire, aid, abet, solicit, urge, investigate, counsel, advise, encourage, attempt to procure or procure another or others to give or sell.

2. A person acts "knowingly" when the person is aware or conscious of what he or she is doing.

3. G.S. 14-269 lists several items which may be considered deadly weapons.