

N.C.P.I.—Crim. 235.36

[POSSESSION] [USE] OF AN [UNMANNED AIRCRAFT] [UNMANNED AIRCRAFT SYSTEM] THAT HAS A WEAPON ATTACHED. FELONY.

GENERAL CRIMINAL VOLUME

DECEMBER 2023

N.C. Gen. Stat. § 14-401.24(a).

235.36 [POSSESSION] [USE] OF AN [UNMANNED AIRCRAFT] [UNMANNED AIRCRAFT SYSTEM] THAT HAS A WEAPON ATTACHED. FELONY.

The defendant has been charged with [possession] [use] of an [unmanned aircraft]¹ [unmanned aircraft system]² that has a weapon attached.

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

First, that the defendant [possessed]³ [used] an [unmanned aircraft] [unmanned aircraft system];

And Second, that the [unmanned aircraft] [unmanned aircraft system] had a weapon⁴ attached.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date that the defendant [possessed] [used] an [unmanned aircraft] [unmanned aircraft system] that had a weapon attached, 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. An unmanned aircraft is defined as “an aircraft, as defined in G.S. 63-1, that is operated without the possibility of human intervention from within or on the aircraft.” N.C. Gen. Stat. § 15A-300.1.

2. An unmanned aircraft system is defined as “an unmanned aircraft and associated elements, including communication links and components that control the unmanned aircraft that are required for the pilot in command to operate safely and efficiently in the national airspace system.” N.C. Gen. Stat. § 15A-300.1.

3. The meaning of “possession” is explained in N.C.P.I.—Crim. 104.41.

4. A weapon is defined as “[t]hose weapons specified in G.S. 14-269, 14-269.2, 14-284.1, or 14-288.8 and any other object capable of inflicting serious bodily injury or death when used as a weapon.” N.C. Gen. Stat. § 14-401(c)(5).