

239.10 [SELLING] [GIVING]¹ A WEAPON TO A MINOR. FELONY,
MISDEMEANOR.

The defendant has been charged with [selling] [giving] a (*name weapon*)² to a minor.

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

First, that the defendant [sold] [gave] (*describe weapon*) to a person.

And Second, that the person was a minor under the age of 18 years of age.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant [sold] [gave] (*name weapon*) to a minor, it would be your duty to return a verdict of guilty.³ 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. The statute also forbids one to offer for sale or in any way transfer a weapon to a minor.

2. Handgun is defined in G.S. 14-269.7. Selling, offering for sale, giving, or in any way transferring a handgun to a minor is a Felony and results in a forfeiture of the proceeds of the sale.

Weapons "other than handguns" include the following: pistol cartridge, brass knuckles, bowie knife, dirk, shuriken, leaded cane, or slingshot. Selling, offering for sale, giving, or in any way transferring a weapon other than a handgun to a minor is a misdemeanor and results in a forfeiture of the proceeds of the sale.

3. See G.S. 14-315(a1) for situations where the statute does not apply, and 14-315(b1) for what constitutes a defense