

N.C.P.I.—CRIMINAL 239.80
[TRANSPORTING] [KEEPING] CHILD OUTSIDE THE STATE WITH INTENT TO VIOLATE
CUSTODY ORDER. FELONY.
GENERAL CRIMINAL VOLUME
REPLACEMENT MAY 2000
N.C. Gen. Stat. § 14-320.1

239.80 [TRANSPORTING] [KEEPING] CHILD OUTSIDE THE STATE WITH
INTENT TO VIOLATE CUSTODY ORDER. FELONY.

The defendant has been charged with [transporting] [keeping] a child outside the State with intent to violate a custody order.

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

First, that the defendant [[took] [transported] a child outside the limits of the State] [caused the child to be [taken] [transported] outside the limits of the State] [kept the child outside the limits of the State].

Second, that at that time the child had not yet reached his sixteenth birthday.

Third, an order of a [federal] [state] court awarded custody of the child to a person other than the defendant.

And Fourth, that the defendant, by so acting, intended to violate this order. (If you find beyond a reasonable doubt that the defendant kept the child outside the limits of the State in violation of this court order for a period in excess of seventy- two hours, you may infer that the defendant intended to violate the court order at the time. However, you are not compelled to do so. You will consider this evidence together with all other evidence in this case in determining whether the State has proved beyond a reasonable doubt that the defendant intended to violate this court order.)

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [took] [transported] [caused to be taken] [caused to be transported] [kept] outside the State a child who had not yet reached his sixteenth birthday with the intent to violate the order of a [federal] [state] court awarding custody of the child to a person other than the defendant, it would be your duty to return a verdict of guilty.

If you do not so find or if you have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.