

N.C.P.I.—CRIMINAL 272.15A  
SELLING OR GIVING FORTIFIED WINE, SPIRITUOUS LIQUOR OR MIXED BEVERAGES TO A  
PERSON LESS THAN TWENTY-ONE YEARS. MISDEMEANOR.  
GENERAL CRIMINAL VOLUME  
REPLACEMENT MAY 2001  
N.C. Gen. Stat. § 18B-302(a)(2)  
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272.15A SELLING OR GIVING FORTIFIED WINE, SPIRITUOUS LIQUOR OR  
MIXED BEVERAGES TO A PERSON LESS THAN TWENTY-ONE YEARS.  
MISDEMEANOR.

The defendant has been charged with selling or giving [fortified wine]  
[spirituous liquor] [mixed beverages] to a person less than 21 years old.

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] to a person [fortified wine]<sup>1</sup>  
[spirituous liquor]<sup>2</sup> [mixed beverages].<sup>3</sup>

And Second, that at the time of the [sale] [gift] that person had not yet  
reached his twenty-first birthday.

(It is a defense to this charge if the defendant:

- 1) [Shows that the person produced [a driver's license] [a special  
identification card issued by the Department of Motor Vehicles] [a  
military identification card] [a passport] showing his age to be at least  
21, and bearing a physical description of the person named on the card  
reasonably describing that person; (or)
- 2) [Produced evidence of other facts that reasonably indicated at the time  
of [sale] [gift] that the person was at least 21 years old.]

And if so, the defendant would not be guilty.)<sup>4</sup>

If you find from the evidence beyond a reasonable doubt that on or  
about the alleged date, the defendant [sold] [gave] [fortified wine] [spirituous  
liquor] [(a) mixed beverage(s)] to a person who at that time had not yet  
reached his twenty-first birthday, 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

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more of these things, (or if the defendant has satisfied you that the person produced [identification] (or) [other facts] reasonably showing himself to be at least 21 years old,) it would be your duty to return a verdict of not guilty.

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1. G.S. 18B-101(7) defines fortified wine.
  2. G.S. 18B-101(14) defines spirituous liquor.
  3. G.S. 18B-101(10) defines mixed beverage.
  4. See G.S. 18B-302(d).