

N.C.P.I.-Crim. 285.35

[COPY] [RETENTION] OF [A REQUEST FOR] [A COMPLETED APPLICATION FOR] [IDENTIFYING INFORMATION DISCLOSED IN A REQUEST OR APPLICATION FOR] AN ABSENTEE BALLOT. FELONY.

GENERAL CRIMINAL VOLUME

JUNE 2021

N.C. Gen. Stat. § 163-237(d)(3)

285.35 [COPY] [RETENTION] OF [A REQUEST FOR] [A COMPLETED APPLICATION FOR] [IDENTIFYING INFORMATION DISCLOSED IN A REQUEST OR APPLICATION FOR] AN ABSENTEE BALLOT. FELONY.

The defendant has been charged with the [copying] [retention] of [a request for] [a completed application for] [identifying information disclosed in a request or application for] an absentee ballot.

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

First, the defendant [copied] [retained] [[a request for absentee ballot] [a completed application for absentee ballot] [identifying information, that is (*describe identifying information, e.g., a social security number*¹) disclosed in a request or application for an absentee ballot]].

And Second, the defendant was not the voter, near relative of the voter, or verifiable legal guardian of the voter.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [copied] [retained] [[a request for absentee ballot] [a completed application for an absentee ballot] [identifying information disclosed in a request or application for an absentee ballot]] and the defendant was not the voter, near relative of the voter, or verifiable legal guardian of the voter, it would be your duty to return a verdict of guilty. If you do not so find or if you have reasonable doubt as to one or both of these things, then you would return a verdict of not guilty.

¹. See N.C.G.S 14-113.20. The term "identifying information" includes the following:

- a. Social security or employer taxpayer identification numbers.
- b. Drivers license, State identification card, or passport numbers.
- c. Checking account numbers.

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- d. Savings account numbers.
- e. Credit card numbers.
- f. Debit card numbers.
- g. Personal Identification (PIN) Code as defined in N.C. Gen. Stat. §14-113.8(6).
- h. Electronic identification numbers, electronic mail names or addresses, Internet account numbers, or Internet identification names.
- i. Digital signatures.
- j. Any other numbers or information that can be used to access a person's financial resources.
- k. Biometric data.
- l. Fingerprints.
- m. Passwords.
- n. Parent's legal surname prior to marriage.
- o.