

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
Superior Court Division

_____ County

STATE VERSUS

Name And Address Of Defendant

INDICTMENT

**I. POSSESSION WITH INTENT TO MANUFACTURE,
SELL, AND DELIVER**

(Identify Substance)

- II. SALE AND DELIVERY**
- III. MANUFACTURE**

This is a superseding indictment.

Race	Sex	Date Of Birth
------	-----	---------------

Date Of Offense	Offense In Violation of G. S. 90-95(a)(1)
-----------------	---

NOTE: [This form may be used to charge all three offenses, I, II, and III; I only; I and II only; or I and III only. Do not use this form to charge only II or III. Note that although Count I below includes three different ways (intent to sell, intent to deliver, intent to manufacture) to commit that one offense, the state need only prove one of those ways to obtain a conviction. State v. Birdsong, 325 N.C. 418 (1989); State v. Moore, 327 N.C. 378 (1990).]

It is not legally necessary in Count I to allege the amount of the controlled substance. If, however, the offense of possession of the controlled substance is a felony or misdemeanor depending on the amount possessed, alleging the amount in Count I will permit the offense of possession of the controlled substances to be submitted to the jury in factually-appropriate cases.

I. POSSESSION WITH INTENT TO MANUFACTURE, SELL, AND DELIVER

The jurors for the State upon their oath present that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did possess with intent to manufacture, sell, and deliver a controlled substance as follows:

Specify Amount Of Substance (see note above)

Identify Substance

Schedule Of The NC Controlled Substances Act

II. SALE AND DELIVERY

And the jurors for the State upon their oath present that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did sell and deliver the controlled substance identified in Count I to:

Name Of Person Substance Sold And Delivered To

III. MANUFACTURE

And the jurors for the State upon their oath present that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did manufacture the controlled substance identified in Count I by: (describe act of manufacturing)

Signature Of Prosecutor

WITNESSES

The Witnesses marked "X" were sworn by the undersigned Foreperson of the Grand Jury and, after hearing testimony, this Bill was found to be:

A TRUE BILL by twelve or more grand jurors, and I the undersigned Foreperson of the Grand Jury, attest the concurrence of twelve or more grand jurors in this Bill of Indictment.

NOT A TRUE BILL.

Date

Signature Of Grand Jury Foreperson