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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA19-813

Filed: 1 December 2020

Pasquotank County, No. 16 CRS 702

STATE OF NORTH CAROLINA

v.

MICHAEL RAY WATERFIELD

Appeal by defendant from judgment entered 19 March 2019 by Judge Alma Hinton in Pasquotank County Superior Court. Heard in the Court of Appeals 21 January 2020.

Attorney General Joshua H. Stein, by Special Deputy Attorney General Amy Bircher, for the State.

Appellate Defender Glenn Gerding, by Assistant Appellate Defender James R. Grant, for defendant.

DIETZ, Judge.

Defendant Michael Waterfield appeals his conviction for using an unattended gill net in violation of a marine fisheries regulation. Waterfield argues that the trial court erred by determining that this offense was a strict liability crime and declining to instruct the jury on any intent element. Waterfield also argues that the trial court

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Opinion of the Court

erred by declining to instruct the jury on willfulness because the State alleged willfulness in the form document charging him with this regulatory offense.

Waterfield raised these same arguments in a companion case concerning similar regulatory charges in another county. *See State v. Waterfield*, No. COA19-427, __ N.C. App. __, __ S.E.2d __ (Oct. 20, 2020). Our analysis in that case involved the same factual and legal analysis as here. For the reasons stated in our opinion in that case, we find no error in the trial court's judgment.

NO ERROR.

Judges TYSON and INMAN concur.

Report per Rule 30(e).