

32.6 Trial Judge's Authority to Provide Written Instructions to the Jury

The trial judge has the inherent authority to submit instructions to the jury in writing. This decision is a discretionary one and will not be reversed absent an abuse of that discretion. *See State v. McAvoy*, 331 N.C. 583, 591 (1992) (holding that trial judge erred in ruling as matter of law that he had no authority to give the jury written instructions, but finding no prejudicial error where trial judge orally repeated the requested instructions for the jury, thereby complying with the essence of the jury's request); *State v. Hester*, 111 N.C. App. 110 (1993) (holding that judge did not err in submitting written jury instructions to the jury and allowing them to take them into the jury room). The defendant's failure to object waives any alleged error on appeal. *State v. Bass*, 53 N.C. App. 40 (1981).