

Cherokee Nation Code Annotated

Title 20: Courts

Appendix I. Supreme Court Rules and Procedures

VII. Appellate Procedure

Rule 55. Stay or injunction

Cite as: 20 CNCA app. I, r. 55

Application for a stay of the judgment or order of the District Court pending appeal, or for approval of a supersedeas bond, or for an order suspending, modifying, restoring or granting an injunction during the pendency of an appeal must be made first in the District Court. A motion for such relief may be made to the Supreme Court, but the motion shall show that application to the District Court for the relief sought is not practicable, or that the District Court has denied an application, or has failed to afford the relief which the applicant requested with the reasons given by the District Court for its action. Reasonable notice of the motion shall be given to all parties.

A stay shall be granted if the purposes of justice require it, and irreversible harm may occur if the stay is not granted.

Historical Data

SC-AD-13-01, adopted March 27, 2013.