

Cherokee Nation Code Annotated

Title 20: Courts

Appendix II. Court Rules for the District Court of Cherokee Nation

III. Court Procedure-Criminal Cases

Rule 24. Expunge order

Cite as: 20 CNCA app. II, r. 24

The following procedure shall be followed by the Court Clerk upon receipt of an Expunge Order in criminal cases wherein a defendant has received a deferred sentence and the prior pleas of guilty (or nolo contendere) are being ordered expunged from the records:

The order of probation and the Expunge Order on pleas of guilty (or nolo contendere) shall be removed from the case file and retained together with a copy of the docket sheet in a separate confidential file.

All reference to the defendant's plea of guilty (or nolo contendere) shall then be deleted from the docket sheet, leaving only the references to the dismissal of the case.

No information concerning the confidential files shall be revealed except upon a written order of a District or Associate District Judge.

Historical Data

SC-AD-13-02, adopted September 3, 2013.