

Cherokee Nation Code Annotated

Title 20: Courts

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

XVI. Motions

Rule 123. Motion to dismiss

Cite as: 20 CNCA app. II, r. 123

The respondent may file a motion to dismiss at any time prior to the scheduling order or as permitted in the scheduling order, or move for dismissal at any hearing for:

1. lack of jurisdiction over subject matter;
2. lack of jurisdiction over persons;
3. insufficiency of process or service thereof;
4. failure of petitioner to state a claim upon which relief can be granted.

Historical Data

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