

Cherokee Nation Code Annotated**Title 22: Criminal Procedure****Chapter 3: Jurisdiction and Commitment****§ 154. Indictments and information dismissed after period of limitations**

Cite as: 22 CNCA § 154

Whenever any criminal offense is dismissed by a separate sovereign because that sovereign did not have jurisdiction to prosecute, and the dismissal occurs after the expiration of the period prescribed by the applicable Cherokee Nation statutes of limitations, an information charging the criminal offense may be filed in the Cherokee Nation within 180 days of the later of two events: 1) the date of the dismissal of the felony charge; or 2) if appealed, the date the separate sovereign's appellate court enters a final decision ordering the dismissal. This section does not permit the filing of a new information charging a criminal offense where the reason for the dismissal was the failure of the separate sovereign to file the information within the period prescribed by its own applicable statute of limitations.

Historical Data

LA 29-20, eff. December 14, 2020.