

Cherokee Nation Code Annotated

Title 22: Criminal Procedure

Chapter 3: Jurisdiction and Commitment

§ 155. Judgment and Sentences vacated after period of limitations

Cite as: 22 CNCA § 155

Whenever any criminal offense was prosecuted by a separate sovereign, for which a defendant was convicted, sentenced, and punished under the laws of the separate sovereign, and the convictions and sentences were later vacated for lack of jurisdiction 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 final order vacating the Judgment and Sentence. 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.