

Cherokee Nation Code Annotated

Title 22: Criminal Procedure

Chapter 4: Proceedings After Commitment

§ 404. Single offense to be charged—Different counts

Cite as: 22 CNCA § 404

The information must charge but one offense, but where the same acts may constitute different offenses, or the proof may be uncertain as to which of two or more offenses the accused may be guilty of, the different offenses may be set forth in separate counts in the same information and the accused may be convicted of either offense, and the Court or jury trying the cause may find all or either of the persons guilty of either of the offenses charged, and the same offense may be set forth in different forms or degrees under different counts; and where the offense may be committed by the use of different means, the means may be alleged in the alternative in the same count.

Historical Data

LA 10–90, eff. November 13, 1990.