

Cherokee Nation Code Annotated
Title 22: Criminal Procedure
Chapter 4: Proceedings After Commitment
§ 409. Information, when sufficient
Cite as: 22 CNCA § 409

The information is sufficient if it can be understood therefrom:

1. That it is entitled in a Court having authority to receive it, though the name of the Court be not stated.
2. That it was presented by the Prosecuting Attorney in which the Court was held.
3. That the defendant is named, or if his name cannot be discovered, that he is described by a fictitious name, with the statement that his true name is unknown.
4. That the offense was committed at some place within the jurisdiction of the Court, except where the act, though done without the local jurisdiction, is triable therein.
5. That the offense was committed at some time prior to the time of filing the information.
6. That the act or omission charged as the offense is clearly and distinctly set forth in ordinary and concise language, without repetition, and in such a manner as to enable a person of common understanding to know what is intended.
7. That the act or omission charged as the offense, is stated with such a degree of certainty, as to enable the Court to pronounce judgment upon a conviction according to the right of the case.

Historical Data

LA 10–90, eff. November 13, 1990.