

Cherokee Nation Code Annotated

Title 22: Criminal Procedure

Chapter 12: Trial

§ 849. Duty of Court where no offense charged

Cite as: 22 CNCA § 849

If the jury be discharged because the facts as charged do not constitute an offense punishable by law, the Court must order that the defendant, if in custody, be discharged therefrom, or, if admitted to bail, that the bail be exonerated, or if he have deposited money instead of bail, that the money deposited be refunded to him, unless in its opinion a new information can be framed, upon which the defendant can be legally convicted, in which case a new information filed.

Historical Data

LA 10–90, eff. November 13, 1990.