

Cherokee Nation Code Annotated

Title 22: Criminal Procedure

Chapter 14: Verdict

§ 923. Defendant discharged on acquittal—Variance resulting in acquittal may authorize new charges

Cite as: 22 CNCA § 923

If a judgment of acquittal is given on a general verdict, and the defendant is not detained for any other legal cause, he must be discharged as soon as judgment is given, except that when the acquittal is for a variance between the proof and the information which may be obviated by a new information the Court may order his detention to the end that a new information may be preferred in the same manner and with like effect as provided in cases where the jury is discharged.

Historical Data

LA 10–90, eff. November 13, 1990.