

Cherokee Nation Code Annotated

Title 22: Criminal Procedure

Chapter 15: New Trial—Arrest of Judgment

§ 951. New trial defined—Proceedings on new trial—Former verdict no bar

Cite as: 22 CNCA § 951

A new trial is a reexamination of the issue in the same court, before another jury, after a verdict has been given. The granting of a new trial places the parties in the same position as if no trial had been had. All the testimony must be produced anew except of witnesses who are absent from the nation or dead, in which event the evidence of such witnesses on the former trial may be presented; and the former verdict cannot be used or referred to either in evidence or in argument, or be pleaded in bar of any conviction which might have been had under the indictment or information.

Historical Data

LA 10–90, eff. November 13, 1990.