

Cherokee Nation Code Annotated

Title 22: Criminal Procedure

Chapter 15: New Trial—Arrest of Judgment

§ 956. Proceedings after motion for arrest of judgment sustained

Cite as: 22 CNCA § 956

If, from the evidence on the trial, there is reasonable ground to believe the defendant guilty, and a new information can be framed upon which he may be convicted, the Court may order him to be recommitted to the proper officer, or admitted to bail anew to answer the new information. If the evidence shows him guilty of another offense, he must be committed or held thereon; but if no evidence appears sufficient to charge him with any offense, he must, if in custody, be discharged, or, if admitted to bail, his bail is exonerated, or if money has been deposited instead of bail, it must be refunded to the defendant, and the arrest of judgment operates as an acquittal of the charge upon which the information was founded.

Historical Data

LA 10–90, eff. November 13, 1990.