

**Cherokee Nation Code Annotated**

**Title 22: Criminal Procedure**

**Chapter 18: Appeals**

**§ 1067. Order when no offense committed—When indictment defective**

Cite as: 22 CNCA § 1067

When a judgment against the defendant is reversed, and it appears that no offense whatever has been committed, the Supreme Court must direct that the defendant be discharged; but if it appears that the defendant is guilty of an offense although defectively charged in the indictment, the Supreme Court must direct the prisoner to be returned and delivered over to the jailer of the proper county, there to abide the order of the Court in which he was convicted.

Historical Data

LA 10–90, eff. November 13, 1990.