

FILED

FEB 09 2024

IN THE CHOCTAW TRIBAL SUPREME COURT  
OF THE  
MISSISSIPPI BAND OF CHOCTAW INDIANS

CHOCTAW SUPREME COURT  
BY: *[Signature]*  
COURT CLERK 1:15pm

CHRISTOPHER EAVES

APPELLANT

VS

CAUSE NO. SC 2022-04

MISSISSIPPI BAND OF CHOCTAW INDIANS

APPELLEE

AMENDED ORDER OF REMAND REGARDING  
WHERE PORTION OF RECORD IS IN DISPUTE

THE MATTER BEFORE the Court having been previously addressed by an *Order Requesting Supplemental Information* dated the 20<sup>th</sup> of November, 2023, and the Court now being advised that the Lower Court does not have the resources to comply with CTC §7-1-6 (2), by providing supplementation of the transcript with information, if any, regarding missing arguments over jury instructions and the rulings of the Court regarding each jury instruction included in the record below.

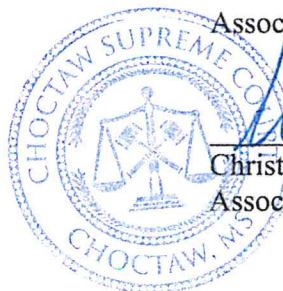
IT IS ORDERED AND ADJUDGED, that due to the lack of a recording and transcription of a portion of the lower court proceeding, and the parties' inability to prepare an appropriate statement of evidence without a transcript, this Court does vacate the lower court conviction and remand this cause for a new trial.

SO ORDERED AND ADJUDGED, this the 9<sup>th</sup> day of February, 2024.

*Holly Peters*  
\_\_\_\_\_  
Holly Peters, 02/06/2024  
Pro Tem Chief Justice

*Brenda T. Pipestem*  
\_\_\_\_\_  
Brenda Pipestem,  
Associate Justice

*Christopher A. Collins*  
\_\_\_\_\_  
Christopher A. Collins  
Associate Justice



**CERTIFICATE OF SERVICE**

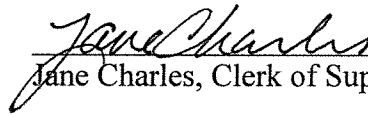
I, do hereby certify that I have this, the 9<sup>th</sup> day of February, 2024, cause to be forward by electronic mail, United States mail and/or hand delivered, a true and correct copy of the above and foregoing document to the below listed counsel of record.

Hon. James E. Smith, III, Esq.  
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Judge Peggy Gibson  
Criminal Court  
Choctaw, Mississippi 39350  
(Hand Delivery)

  
\_\_\_\_\_  
Jane Charles, Clerk of Supreme Court