

FILED

JAN 29 2026

CHOCTAW SUPREME COURT
BY: J. Hester
COURT CLERK

2:32pm

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

CAROL SAM

APPELLANT

V.

CAUSE NO.: SC 2014-11

MISSISSIPPI BAND OF CHOCTAW INDIANS

APPELLEE

ORDER REVERSING CONVICTIONS

THIS DAY, this cause came on to be heard Appellant's Response to Order of Hearing Procedure on Case with No Transcript Available and the Reply thereto by the Mississippi Band of Choctaw Indians, the Appellee, and the Court, having considered same, finds as follows:

1. No certified transcript of the trial in this matter has been located, despite the diligent efforts of court staff and counsel to produce same.
2. Due to the passage of in excess of ten (10) years and fading memories, counsel of record who were before the Choctaw Tribal Criminal Court in this matter are unable to stipulate as to the admissible evidence presented at trial or to otherwise reconstruct the record.
3. The standard for the reversal of criminal convictions on appeal mandates that no reasonable juror could have found the defendant guilty based on the evidence presented. *Nicholson ex rel. Gollott v. State*, 672 So.2d 744 (Miss. 1996) (emphasis added)
4. In the absence of stipulations by counsel, other admissible evidence or an authenticated trial record, meaningful appellate review is not possible.



5. It would constitute a violation of the Appellant's right to Due Process to make reversal of her criminal convictions contingent upon meeting the standard announced in *Nicholson, supra*.

IT IS, THEREFORE, ORDERED AND ADJUDGED, that the Appellant's convictions for two (2) counts of Child Abuse, Class "B," under Choctaw Tribal Code § 3-3-8, as set forth in Case Numbers 2014-1388 and 2014-1389; and for one (1) count of Violation of Protective Orders, Consent Agreements, Conditions of Release and Probation, Class "A," under Choctaw Tribal Code § 3-10-3, as set forth in Case Number 2014-1511; as pronounced in the Judgment of Conviction dated December 16, 2014; are REVERSED.

IT IS, FURTHER, ORDERED AND ADJUDGED, that this case shall not serve as precedent for the proposition that reversal of a criminal conviction is mandated due to the absence of an authenticated trial record, as the holding pronounced in this order is dependent upon the unique circumstances before this Court in this Cause Number.

SO ORDERED AND ADJUDGED, this the 29th day of ~~September 2025~~ January 2026

RP

Holly Peters

HOLLY PETERS
CHIEF JUSTICE



AGREED:

Scott A. Johnson
Scott A. Johnson
Attorney for MBCI, the Appellee

Ottawa E. Carter, Jr.
Ottawa E. Carter, Jr.
Attorney for Carol Sam, the Appellant