

TITLE 1: GOVERNMENT
DIVISION 3: JUDICIAL BRANCH

§ 3103. Appeals: Powers of the Supreme Court.

On appeal, the Supreme Court may affirm, modify, vacate, set aside or reverse the judgment, order or decree appealed from, and remand the cause and direct the entry of such appropriate judgment, order or decree as may be just under the circumstances, but the Supreme Court may not take new or additional evidence, consider issues of fact de novo, or set aside findings of fact unless they are clearly erroneous, and due regard shall be given to the opportunity of the trier of fact to judge the credibility of witnesses. The decision of the Supreme Court is final and may not be appealed to any other court, except as provided in Covenant § 403(a).

Source: PL 6-25, § 3, ch. 1 (§ 3103).

Commission Comment: Covenant § 403(a) provides:

The relations between the courts established by the Constitution or laws of the United States and the courts of the Northern Mariana Islands with respect to appeals, certiorari, removal of causes, the issuance of writs of habeas corpus and other matters or proceedings will be governed by the laws of the United States pertaining to the relations between the courts of the United States and the courts of the several States in such matters and proceedings, except as otherwise provided in this Article; provided that for the first fifteen years following the establishment of an appellate court of the Northern Mariana Islands the United States Court of Appeals for the judicial circuit which includes the Northern Mariana Islands will have jurisdiction of appeals from all final decisions of the highest court of the Northern Mariana Islands from which a decision could be had in all cases involving the Constitution, treaties or laws of the United States, or any authority exercised thereunder, unless those cases are reviewable in the District Court for the Northern Mariana Islands pursuant to Subsection 402(c).