

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ARMED FORCES**

U N I T E D	S T A T E S,)	<i>AMICUS CURIAE</i> RESPONSE ON
	Appellant)	BEHALF OF COAST GUARD
v.)	GOVERNMENT APPELLATE DIVISION
)	
Christopher A. QUICK,)	Crim. App. Dkt. No. 201300341
Sergeant (E-5))	
U.S. Marine Corps)	USCA Dkt. No. 15-0347/MC
	Appellee)	

**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES
COURT OF APPEALS FOR THE ARMED FORCES:**

GRANTED ISSUE

WHETHER PRECEDENT AUTHORIZING COURTS OF CRIMINAL APPEALS TO ORDER SENTENCE-ONLY REHEARINGS SHOULD BE OVERRULED BASED ON: (A) *JACKSON V. TAYLOR*, 353 U.S. 569 (1957), WHICH STATED "NO [SUCH] AUTHORITY" EXISTS; (B) THE PLAIN LANGUAGE OF THE STATUTE INCLUDING THE CONJUNCTIVE "FINDINGS AND SENTENCE" IN ARTICLE 66(d) IN CONTRAST TO AUTHORITY GRANTED THE JUDGE ADVOCATES GENERAL IN ARTICLE 69(a) TO ACT WITH RESPECT TO "FINDINGS OR SENTENCE OR BOTH" AND THE CONVENING AUTHORITY IN ARTICLE 60(f)(3) TO ORDER SENTENCE REHEARINGS; AND, (C) JUDICIAL ECONOMY.

STATEMENT OF THE CASE

Amicus agrees with Appellant's statement of the case.

STATEMENT OF THE FACTS

Amicus agrees with Appellant's statement of the facts.

SUMMARY OF ARGUMENT

The Coast Guard government appellate division agrees with and supports the position taken by the Navy-Marine Corps Government Appellate Division in their brief to the specified issue set forth by this Court.

CONCLUSION

Wherefore, the Government respectfully requests that this honorable Court reverse the decision of the lower court and order the lower court to conduct a sentence reassessment.

/s/

A. M. Lee
Lieutenant Commander
U.S. Coast Guard
Appellate Government Counsel
Office of Military Justice
2703 Martin Luther King Jr. Ave. SE
Washington, D.C. 20593
(202)372-3811
U.S.C.A.A.F. Bar No. 35615
amanda.m.lee@uscg.mil

CERTIFICATE OF SERVICE AND FILING

I certify that the foregoing was delivered to the Court on the 11th day of March, 2015, and that a copy of the foregoing was delivered by electronic means to counsels of record: LT James M. Belforti, JAGC, USN, james.belforti@navy.mil and Capt David Peters, USMC, david.a.peters1@navy.mil.

/s/

A. M. Lee
Lieutenant Commander
U.S. Coast Guard
Appellate Government Counsel
Office of Military Justice
2703 Martin Luther King Jr. Ave. SE
Washington, D.C. 20593
(202)372-3811
U.S.C.A.A.F. Bar No. 35615
amanda.m.lee@uscg.mil

CERTIFICATE OF COMPLIANCE WITH RULE 24(d)

1. This brief complies with the type-volume limitation of Rule 24(c) because:

This brief contains 86 words.

2. This brief complies with the typeface and type style requirements of Rule 37 because:

This brief has been prepared in a monospaced typeface using Microsoft Word Version with 12-point Courier New font.

/s/

A. M. Lee
Lieutenant Commander
U.S. Coast Guard
Appellate Government Counsel
Office of Military Justice
2703 Martin Luther King Jr. Ave. SE
Washington, D.C. 20593
(202)372-3811
U.S.C.A.A.F. Bar No. 35615
amanda.m.lee@uscg.mil