

IN THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

U N I T E D S T A T E S) *AMICUS CURIAE* RESPONSE ON
 Appellant,) BEHALF OF COAST GUARD
) GOVERNMENT APPELLATE DIVISION
)
)
)
Staff Sergeant (E-5)) Crim. App. No. 38452
DANIEL H. CHIN, USAF)
 Appellee.) USCA Dkt. No. 15-0749/AF

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

ISSUE PRESENTED

WHETHER THE AIR FORCE COURT OF CRIMINAL
APPEALS (AFCCA) ABUSED ITS DISCRETION
AND COMMITTED LEGAL ERROR BY FINDING
THAT UNREASONABLE MULTIPLICATION OF
CHARGES WAS NOT WAIVED, IN DIRECT
CONTRADICTION OF THIS COURT'S BINDING
PRECEDENT IN UNITED STATES V. GLADUE,
67 M.J. 311 (C.A.A.F. 2009).

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 Air Force
Government Appellate Division in its brief to the specified
issue set forth by this Court.

21 September 2015

CONCLUSION

WHEREFORE, the United States respectfully requests that this Honorable Court reverse the decision of the Air Force Court of Criminal Appeals.

/s/

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21 September 2015

CERTIFICATE OF SERVICE AND FILING

I certify that the foregoing was delivered to the Court on the 21st day of September, 2015, and that a copy of the foregoing was delivered by electronic means to counsel of record: Capt Travis L. Vaughan, USAF, Air Force Appellate Defense Division, and Maj Matthew J. Neil, USAF, Appellate Government Counsel.

/s/

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CERTIFICATE OF COMPLIANCE WITH RULE 24(d)

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

This brief contains 104 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 2007 with 12-point Courier New font.

/s/

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