

Free essay about cases brief

[Law](#), [Criminal Justice](#)



(Insert Title)

The court case of the United States versus Collier is a very unique one. In this court case, cited U. S. v. Collier, 29 M. J. 365; William Collier is appealing his case to the Supreme Court. Originally, Collier was convicted by the courts for failing to obey orders from a military-warrant-officer. Resulting in a violation of the Uniform Code of Military Justice. In the original court hearing, prior to his appeal, the judge took sides with the warrant officer and rejected William Collier's defense. The judge in this ruling was Judge Sullivan.

The main issue at hand in this court case dealt with the fact that the judge, when originally making the verdict decision, thought the jury and use failed to use legal jurisdiction in regards to the affirmative defense of abandonment of office, in which, was firstly-created by the warrant officer.

Another interesting part of this court case comes from a court ruling that happened eight years prior to William Collier's appeal, in which it was used as a base and precedent when the case was originally tried. In the court case of U. S. v. Brenizer, 20 M. J. 78 (CMA 1985), the same exact issue is brought up when it too was being tried. This case was of a very familiar issue, it shed a lot of light on the effect of the previous conviction and its future prejudicial effect on military justice, and guidelines rooting from the affirmative defense of abandonment.

Now in comparison of the two cases, William Colliers appeal was considered based off completely different reasoning. The judge in this case based his review off of the theory the methods and evidence submitted originally by the members of court, may have been used for improper purposes. Resulting in the approval of the appeal. Another notions to take in account for is the

fact that the court of Military Review also looked at this court ruling. In opposing the judge, the military court believed that all evidence originally submitted was admissible, as a precedent had already been set in the court case of *U. S. v. Brenizer*, 20 M. J. 78 (CMA 1985),

The final decision by the Judge of the Supreme Court was to for the ruling to be reversed, and subject to scrutiny, and review. Eventually the original conviction ruling was rejected by the court and the appeal succeeded. Judge Sullivan, the individual overlooking everything, took sides with the disobedient act. Sullivan ruled that the lower courts did not apply Mil. E. Evid test correctly. Judge Sullivan also documented that through the appellate process, there was good enough reasoning to believe that the soldier was a respectable, noble soldier who generally followed protocol in good faith. This being the result of a precedent set forth by *US v Strong*. The judge finally ruled that there was enough evidence that justified his actions and characteristic in special circumstances. Thus, creating one of the biggest military justice precedents in the United States history.

Sources:

Anderson, Kim. "" Law Journal"" *U. S. v. Collier*. Web. 19 Dec. 2014. .