

No. 19-184

IN THE
Supreme Court of the United States

UNITED STATES, *Petitioner*,

v.

RICHARD D. COLLINS, *Respondent*.

UNITED STATES, *Petitioner*,

v.

HUMPHREY DANIELS III, *Respondent*.

**On Petition for a Writ of Certiorari to
the United States Court of Appeals
for the Armed Forces**

**BRIEF FOR RESPONDENT
HUMPHREY DANIELS III IN OPPOSITION**

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QUESTIONS PRESENTED

1. Whether the Court of Appeals for the Armed Forces erred in *United States v. Mangahas*, 77 M.J. 220, *pet. recon. denied*, 77 M.J. 323 (C.A.A.F. 2018), in ruling that Art. 43(a), Uniform Code of Military Justice (UCMJ), which until 2006, provided that crimes “punishable by death” may be tried and punished at any time without limitation, did not apply to the crime of rape.

2. Whether this Court has jurisdiction to review the question presented in the Petition, given that Question 1 above was, by the Government’s own suggestion, not addressed or decided by the Court of Appeals for the Armed Forces in Respondent Daniels’s case.

RELATED PROCEEDINGS

Respondent is unaware of any related proceedings other than those identified in the Petition. *See* Pet. II.

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