

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

UNITED STATES,)	UNITED STATES' OPPOSITION
<i>Appellee,</i>)	TO MOTION FOR
)	APPROPRIATE RELIEF
v.)	
)	
Major (O-4))	USCA Dkt. No. 20-0336/AF
BRANDON L. SNYDER, USAF)	Crim. App. No. 39470
<i>Appellant</i>)	

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

Pursuant to Rule 30(b) of this Honorable Court's Rules of Practice and Procedure, the United States opposes Appellant's Motion for Appropriate Relief, filed on 10 September 2020.

Congress has dictated through Article 142(g), UCMJ, that a vacancy on this Court does not impair the right of the remaining judges to exercise the powers of the Court – which would include acting on petitions for grant of review. Thus, Appellant has no right to have his petition acted upon by five judges. Appellant has not established why he is entitled to the special treatment of having a senior judge or Article III judge appointed to consider his petition during this period of a court vacancy.

Further, the United States has an interest in the finality of Appellant's case, so it opposes any stay or other delay until a fifth judge is appointed to this Court.

CONCLUSION

WHEREFORE, the United States respectfully asks this Honorable Court to deny Appellant's Motion for Appropriate Relief.



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CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was electronically delivered to the Court, to Civilian Defense Counsel and to the Appellate Defense Counsel Division on 14 September 2020.



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