

Tuesday, October 27, 2009

0900

*United States v. Stevenson*

The appellant was convicted by members with enlisted representation, contrary to his plea, of one specification of rape in violation of Article 120 of the Uniform Code of Military Justice, 10 U.S.C. § 920, MANUAL FOR COURTS-MARTIAL, UNITED STATES (2005 ed.). The issues to be argued before the court are:

- I. WHETHER THE SEARCH WARRANT AUTHORIZING THE SEARCH AND SEIZURE OF APPELLANT'S BLOOD WAS DERIVATIVE FROM A SOURCE OF INFORMATION INDEPENDENT FROM THE SEIZURE AND SEARCH OF APPELLANT'S BLOOD AT THE VETERANS ADMINISTRATION HOSPITAL.
- II. WHETHER THE SEARCH WARRANT WAS VALID IN LIGHT OF APPELLANT'S ARGUMENT THAT STATEMENTS AND OMISSIONS TO THE MAGISTRATE WERE NOT MADE IN GOOD FAITH.