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“United States v. Stitt”

The article I chose centers around two men who both were arrested for the possession of a firearm. Victor J. Stitts II and Jason Daniel Sims were their names and together they caused a mass of controversy within the court system. Their cases together made the courts look at a even more broader definition of the word Burglary. They used other cases to help define the word, and also looked at state definitions of the word dealing with states laws. Another key point in their cases were that Stitt and Sims both tried to argue with the ruling of the Supreme court. In the end we will discuss the Supreme Court's ruling in the case.

What made the case controversial was that the District Courts and the federal appeal courts couldn't agree on the sentencing. The district courts argued that the defendants case fell under the sentence enhancement of 15 years at least. This was due to the fact they felt it fell within burglary under the Armed Career Criminal Act. Also, because the defendants had prior burglary charges as well. Under the Act, if you have prior charges that required you to spend more than 1 year in prison then the Judge who sentences them is to give them 15 years minimum as a mandatory sentence. The Federal Appeals Court overruled the sentences as they felt the crimes didn't fall under burglary. Since neither of the lower courts could agree on the matter the Government asked the Supreme Court to step in review the case. The Supreme Court was asked to answer the question as to whether if burglary of a non permanent home or an building or

vehicle that could be adapted to be used as an overnight home was burglary under the Armed Career Criminal Act. After being asked that question the Supreme Court looked at several other cases for reference.

One of the cases they looked at was *Mathis v. United States*, and in this case it is said that a prior state conviction isn't considered generic burglary. The reason they had to take this care into consideration is because both *Stitts* and *Sims* had prior charges regarding burglary. *Stitts* had a prior aggravated burglary charge in the state of Tennessee which is seen as "burglary of habitation". According to Tennessee law habitation is any structure or vehicle that has been redesigned for overnight use or that is occupied at the time of the burglary. *Sims*'s prior charge was for residential burglary in the State of Arkansas. Residential Burglary in Arkansas is the burglary of any vehicle, building, or any other structure that is used for living or used overnight whether the owner is present or not.

In the case of *Taylor v. United States*, the courts argued that the inner state definitions of burglary were much broader than the original definition. *Taylor*'s case was different, the courts believed that case burglary was a generic crime and not a word that described the perpetrators' behavior. After looking at more cases and reviewing the history of the Armed Career Criminal Act the Supreme Court felt that the Government needed a general definition for burglary so that they could seek enhancement sentences under the Act in burglary cases.

After reviewing all the information from the case, *Stitts* and *Sims*'s prior cases, similar cases, and state laws and definitions regarding burglary the Supreme Court came to a decision. The overall definition of the word would include the original definition, but would have more added on to it. This was so that it would also have relevance to today's law enforcement. The act

being as old as it is was drafted in 1986, and most states today have already expanded the meaning of burglary to include more than just personal dwellings. This helped to not limit the scope of the Act just to extreme burglaries that end in bodily harm. The Supreme Court concluded the meaning of Burglary would be “an unlawful or unprivileged entry into, or remaining in, a building or other structure, with intent to commit a crime.” Arkansas and Tennessee laws already were accordance with the new definition set forth. After all this was said and done the two defendants still tried to argue their case.

First was Stitts, he argued about how broad the tennessee statue was when it came to “structures that were appurtenant”. He thought the law didn’t extend to vehicles, and due to this misinterpretation of the law the Supreme Court chose to ignore his argument. Now Sims argued against Arkansas statute about Residential Burglary. He said that the statute included vehicle burglaries, and that anyone could live in a vehicle. He said the statute could cover the car that homeless person might sleep out of. Since his argument dealt with state law and not federal law his case was given back to the lower courts. The Supreme Court reversed the ruling of the Sixth Circuit Court Appeals, and vacated the the decision of the Eighth Circuit Court of Appeals. With this the case was able to move forward in the lower courts.

In the case of the United States v Stitts, the Supreme Court overruled the ruling of the Appeals Court. Stitts case was able to proceed forward despite his argument against it. Sims case was left for the lower courts to decide. The controversy between the District Courts and Appeals courts was dispersed thanks to the Supreme Court. The broadening the meaning of the word Burglary to include ordinary burglaries as well as extreme burglaries, because burglaries run a high risk of bodily harm.

Works Cited

“United States v. Stitts, 2018”