

UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before
WALKER, EWING, and PARKER
Appellate Military Judges

UNITED STATES, Appellee
v.
Chief Warrant Officer Two ANDRE X. TATE
United States Army, Appellant

ARMY 20200590

ORDER

WHEREAS:

The Court has considered appellant's application for grant of review of the decision of the Judge Advocate General.

NOW THEREFORE, IT IS ORDERED:

The petition is hereby GRANTED as to the following issue:

**WHETHER THE EVIDENCE IS LEGALLY
INSUFFICIENT AS TO CHARGES I AND IV.**

Additionally, on its own motion, this Court specifies the following issue:

**WHETHER THIS COURT HAS JURISDICTION TO
REVIEW APPELLANT'S CASE FOR FURTHER
REVIEW UNDER ARTICLE 69(d) WHEN THE JUDGE
ADVOCATE GENERAL OF THE ARMY HAS NOT
TAKEN AN ACTION OUTLINED IN ARTICLE 69(c).**

Appellee shall file a brief addressing the issue specified by the court as well as the granted issue no later than thirty days from the date of this order. Appellant may file a brief addressing the specified issue, as well as replying to the government's brief on the granted issue, no later than thirty days after appellee's response.

TATE—ARMY 20200590

DATE: 10 February 2022

FOR THE COURT:



JOHN P. TAITT
Acting Clerk of Court

CF: JALS-DA
JALS-GA
JALS-CCR
JALS-CCZ
JALS-CR4