

# UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before  
WALKER, EWING, and PARKER  
Appellate Military Judges

UNITED STATES, Appellee  
v.  
Private E2 TREVON K. COLEY  
United States Army, Appellant

ARMY 20220231

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ORDER  
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## WHEREAS:

On 20 April 2023, appellant filed a motion for appellate discovery requesting: (1) an affidavit from Colonel (COL) Charles (Jack) Pritchard describing the reasons for his decision to be replaced as the military judge in the case at hand as well as *United States v. Davis*, *United States v. Stiff*, and *United States v. Velasquez*; (2) email traffic “to” or “from” COL Pritchard relating to his decision to be replaced as the military judge in the aforementioned cases; (3) any emails, memoranda, or other records within the Office of the Judge Advocate General relating to COL Pritchard’s decision to be replaced as a military judge on the aforementioned cases; (4) an affidavit from COL Tyesha Smith, Chief Judge of the Trial Judiciary, detailing any information she may know as to COL Pritchard’s decision to be replaced in the aforementioned cases; and, (5) an affidavit from Lieutenant Colonel Lance Smith detailing any information he may know as to why he replaced COL Pritchard in the case at hand.

On 4 May 2023, this Court granted appellant’s motion for appellate discovery in part, ordering appellate government counsel to obtain an affidavit from COL Pritchard regarding the reasons for his replacement as the military judge in the above-captioned case and what knowledge, if any, COL Pritchard possessed regarding the detailing of an Air Force military judge to appellant’s case instead of another Army military judge.

On 2 June 2023, appellate government counsel filed a motion to attach two government appellant exhibits containing COL Pritchard’s affidavit and emails relevant to the cross-service detailing of Lieutenant Colonel Smith in this case. This Court granted the motion to attach the two government exhibits on 2 June 2023.

NOW THEREFORE, IT IS ORDERED:

COLEY — ARMY 20220231

Appellate government counsel shall obtain the Memorandum of Agreement (MOA) that was in place in March 2022 for the cross-service detailing of a military judge to an Army court-martial and file it with this Court no later than fourteen days from the date of this order.

DATE: 28 June 2023

FOR THE COURT:

A large black rectangular redaction box covering the signature of James W. Herring, Jr.

JAMES W. HERRING, JR.  
Clerk of Court