

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 the 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 issues:

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

WHETHER THE ADMISSION OF EVIDENCE THAT
THE MOTORCYCLE CLUB "OUTCAST" WAS IN A
NCIC GANG DATABASE VIOLATED APPELLANT'S
CONFRONTATION CLAUSE RIGHTS AND WAS
INADMISSIBLE HEARSAY.

Appellee shall file a response to the granted issue no later than thirty days from the date of this order. Appellant may file a reply brief no later than seven days after appellee's response.

DATE: 16 August 2023

TATE — ARMY 20200590

FOR THE COURT:



JAMES W. HERRING, JR.
Clerk of Court

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