

# 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

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ORDER  
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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

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FOR THE COURT:



JAMES W. HERRING, JR.  
Clerk of Court

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