

# UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before  
PENLAND, HAYES, and MORRIS  
Appellate Military Judges

**UNITED STATES, Appellee**  
**v.**  
**Specialist MALACHI M. TEMPLE**  
**United States Army, Appellant**

ARMY 20230403

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ORDER  
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WHEREAS:

On 24 July 2023 a military judge sitting as a special court martial convicted appellant, in accordance with his pleas, of three specifications of domestic violence.

NOW THEREFORE, IT IS ORDERED:

On its own motion, this Court specifies the following issue:

I.

WHETHER APPELLANT'S FIRST CLAIM UNDER  
*UNITED STATES V. GROSTEFON*, 12 M.J. 431 (C.M.A.  
1982), ERRONEOUS POST-TRIAL ADVICE FROM THE  
STAFF JUDGE ADVOCATE TO THE CONVENING  
AUTHORITY, MERITS RELIEF.

Appellant shall file a brief on the specified issue no later than seven days from the date of this order. Appellee shall file a responsive brief no later than seven days from the date of Appellant's brief. Appellant may file a reply brief no later than seven days after Appellee's reply brief.

DATE: 8 May 2024

FOR THE COURT:



✓ JAMES W. HERRING, JR.  
Clerk of Court