

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,
Appellee

**MOTION FOR ORAL
ARGUMENT**

v.

Docket No. ARMY 20210389

Private First Class (E-3)
JOHN K. JARLEGO
United States Army,
Appellant

Rehearing tried at Fort Leavenworth,
Kansas on 18 January 2024, 23
February 2024 & 14-15 May 2024,
before a general court-martial
appointed by Commander,
Headquarters, United States Army
Combined Arms Center & Fort
Leavenworth, Colonel J. Harper Cook,
military judge, presiding.

**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES ARMY
COURT OF CRIMINAL APPEAL**

COMES NOW the undersigned appellate defense counsel, pursuant to Rules
23 and 25 of this court's Rules of Appellate Procedure, and requests oral argument
on the following assignment of error:

**WHETHER THE MILITARY JUDGE ERRED BY
NOT SUPPRESSING APPELLANT'S
STATEMENT?**

Argument is appropriate because this case presents important questions
concerning the limits of what law enforcement may do when advising an accused
of his rights under Article 31(b), Uniform Code of Military Justice. Oral argument

from both sides would assist this court in arriving at an informed and reasoned decision.

Conclusion

WHEREFORE, appellant, through undersigned appellate defense counsel, respectfully requests this court grant the motion for oral argument.

Panel No. 2

**MOTION FOR
ORAL ARGUMENT**

GRANTED: 

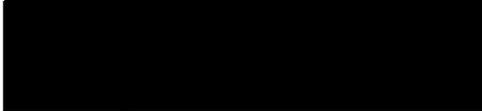
DENIED: _____

DATE: 13 March 2025


BRYAN A. OSTERHAGE
Major, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division

CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was electronically submitted to the
Army Court and Government Appellate Division on 17 December 2024.



BRYAN A. OSTERHAGE
Major, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division

From: [USARMY Pentagon HQDA OTJAG Mailbox Clerk of Court eFiling](#)
To: [Osterhage, Bryan A MAJ USARMY \(USA\)](#); [USARMY Pentagon HQDA OTJAG Mailbox TJ Service](#)
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Subject: RE: Jarlego-20210389-Motion for Oral Argument (241217)
Date: Wednesday, December 18, 2024 3:22:00 PM
Attachments: [Jarlego-20210389-Motion for Oral Argument \(241217\).pdf](#)

Your pleading is in compliance with the Court's Rules of Practice and Procedure, and the pleading is accepted.

Very respectfully,

Office of the U.S. Army Clerk of Court
9275 Gunston Road, Bldg. 1450
Fort Belvoir, VA 22060-5546

From: Osterhage, Bryan A MAJ USARMY (USA) <bryan.a.osterhage.mil@army.mil>
Sent: Tuesday, December 17, 2024 10:13 PM
To: USARMY Pentagon HQDA OTJAG Mailbox Clerk of Court eFiling <usarmy.pentagon.hqda-otjag.mbx.clerk-of-court-efiling@army.mil>; USARMY Pentagon HQDA OTJAG Mailbox TJ Service <usarmy.pentagon.hqda-otjag.mbx.tj-service@army.mil>
Cc: USARMY Pentagon HQDA OTJAG Mailbox DAD ACCAservice <usarmy.pentagon.hqda-otjag.mbx.dad-accaservice@army.mil>; USARMY Pentagon HQDA OTJAG Mailbox GAD ACCAservice <usarmy.pentagon.hqda-otjag.mbx.gad-accaservice@army.mil>; Potter, Jonathan F CIV USARMY HQDA OTJAG (USA) <jonathan.f.potter3.civ@army.mil>
Subject: Jarlego-20210389-Motion for Oral Argument (241217)

Dear Clerk of Court,

I hereby certify the following document was transmitted on the date/time of this message:

Jarlego-20210389-Motion for Oral Argument (241217)

One attachment was served.

Very respectfully,

Bryan Osterhage
MAJ, JA
Appellate Attorney
Defense Appellate Division
9275 Gunston Road
Fort Belvoir, VA 22060
703-693-1132

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