UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before
MORRIS, JUETTEN, and MURDOUGH
Appellate Military Judges

UNITED STATES, Appellee
v.
Specialist JESUS O. NAVARRO
United States Army, Appellant

ARMY 20250171

ORDER

WHEREAS:

On 1 April 2025, a military judge sitting as a general court-martial convicted appellant, pursuant to his pleas, of one specification of knowingly and wrongfully possessing child pornography, in violation of Article 134, Uniform Code of Military Justice [UCMJ], 10 U.S.C. § 934. The military judge sentenced appellant to a bad-conduct discharge. Appellant's case is now pending review before this Court pursuant to Article 66, UCMJ.

On 9 January 2026, appellant, pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), alleged he received ineffective assistance of counsel.

In reviewing the record and appellant's allegations of ineffectiveness, we conclude that an affidavit from appellant's trial defense counsel is required to address a portion of appellant's allegations.

NOW, THEREFORE, IT IS ORDERED:

1. Appellate government counsel shall obtain an affidavit from Captain Michael Green addressing allegations of ineffective assistance of counsel during appellant's case. At a minimum, Captain Green shall answer the following questions:

a. What steps did you take to investigate the allegations pending against appellant? Specifically, did you review the interview of appellant?

b. Did you explore submitting a Chapter 10 request for consideration by the General Court-Martial Convening Authority? What discussions did you have with appellant

regarding the viability of a Chapter 10 request to appellant?

c. What discussions did you have with appellant regarding the submission of matters pursuant to Rule for Courts-Martial 1106?

2. Captain Green shall attach any documents relevant to these questions not otherwise found in the record of trial.

3. Appellate government counsel shall obtain from Captain Green the foregoing affidavit, along with any other documents provided, and file it with this court not later than fourteen (14) days after the date of this order.

4. The government may provide Captain Green any portion of the record that may assist him in his response but may not provide them any sealed portion of the record absent further order of this court.

DATE: 18 February 2026

FOR THE COURT:

[redacted]

Clerk of Court

CF: JALS-DA
JALS-GA
JALS-CCR
JALS-CCZ
JALS-CR3