

UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before
WALKER, EWING, and PARKER
Appellate Military Judges

UNITED STATES, Appellee
v.
Private E2 TREVON K. COLEY
United States Army, Appellant

ARMY 20220231

Charles L. Pritchard, Jr., and Lance R. Smith, Military Judges

AMENDED NOTICE OF HEARING

TO: Appellate Defense Counsel: Captain Rachel M. Rose, JA

Appellate Government Counsel: Captain Lisa Limb, JA

Notice is hereby given that a hearing in this case before the United States Army Court of Criminal Appeals, Panel 4, has been set for Monday, 11 December 2023 at 1000. Argument will be heard on the following issues:

I.

WHERE APPELLANT RAISED SUPPORT FOR THE AFFIRMATIVE DEFENSE OF CONTRIBUTORY NEGLIGENCE, WHETHER THE MILITARY JUDGE ERRED BY NOT INSTRUCTING THE PANEL MEMBERS ON CONTRIBUTORY NEGLIGENCE.*

II.

WHETHER THE JUDICIAL REASSIGNMENT OF APPELLANT'S CASE WARRANTS REVERSAL OF THE CONVICTION.

* For this assignment of error, counsel should be prepared to discuss how *United States v. Davis*, 79 M.J. 329 (C.A.A.F. 2020) impacts this court's ability to conduct appellate review of this issue under the new Article 66, UCMJ.

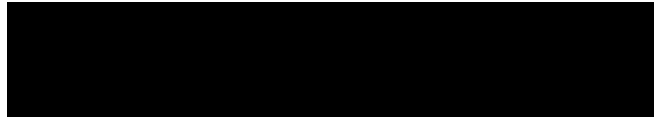
III.

WHETHER UNLAWFUL COMMAND INFLUENCE
RESULTED IN THE IMPROPER MANIPULATION OF
THE CRIMINAL JUSTICE PROCESS IN THIS CASE.

Pursuant to this Court's Rule 25.2, the parties shall file four copies of the Joint Appendix no later than 30 November 2023.

Panel Composition: Senior Judge WALKER, Judge EWING, and Judge PARKER.

Date: 6 December 2023



ELIZABETH A. WALKER
Colonel, JA
Senior Judge

CF:	Chief, DAD	JALS-TJ
	Chief, GAD	JALS-CCO
	JALS-CR4	