

# 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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AMENDED NOTICE OF HEARING  
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TO: Appellate Defense Counsel:	Captain Sean P. Flynn Major Bryan A. Osterhage
Appellate Government Counsel:	Major Pamela L. Jones Captain Andrew M. Hopkins

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 Tuesday, 26 July 2022 at 1100. Argument will be heard on the following issues:

I.

WHETHER THE EVIDENCE IS LEGALLY  
INSUFFICIENT AS TO CHARGES I AND IV.

II.

WHETHER THIS COURT HAS JURISDICTION TO  
REVIEW APPELLANT'S CASE FOR FURTHER  
REVIEW UNDER ARTICLE 69(d) WHEN THE JUDGE  
ADVOCATE GENERAL OF THE ARMY HAS NOT  
TAKEN AN ACTION OUTLINED IN ARTICLE 69(c).

In addition to the specified issues, the parties should be prepared to address the following question: The 18 November 2021 "Action" is signed by Lieutenant Colonel JR for The Judge Advocate General (TJAG). What is the legal authority for TJAG to delegate the authority to take action as outlined in Article 69(c), UCMJ, to another judge advocate?

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

Date: 21 July 2022



Colonel, JA  
Senior Judge

CF:	Chief, DAD	JALS-TJ
	Chief, GAD	JALS-CCO
	JALS-CR4	JALS-CCZ
	JALS-CRZ	JALS-CCC