

UNITED STATES NAVY-MARINE CORPS COURT OF CRIMINAL APPEALS

UNITED STATES,
Appellant

NMCCA NO. 200800299

v.

INTERLOCUTORY APPEAL BY THE
UNITED STATES

Jeffrey R. Chessani
Lieutenant Colonel (O-5)
U. S. Marine Corps,
Appellee

O R D E R

Due to a scheduling conflict, the original date set for oral argument in this case, Thursday, 16 October 2008, is no longer viable. It is, by the Court, this 18th day of September 2008,

ORDERED:

1. That the court's 15 September 2008 order setting the date for oral argument is hereby superseded by this order.
2. That oral argument in the above-captioned case will be held on Friday, 17 October 2008, at 1000, on the following assignment of error raised by the appellant:

WHETHER THE MILITARY JUDGE ERRED WHEN HE FOUND THAT COLONEL EWERS' MERE PRESENCE AT THE CONVENING AUTHORITY'S JOINT I MEF/MARCENT LEGAL MEETINGS (i) IMPROPERLY INFLUENCED THE INDEPENDENT JUDGMENT OF THE CONVENING AUTHORITY AND HIS STAFF JUDGE ADVOCATE, AND (ii) WOULD CAUSE AN OBJECTIVE, DISINTERESTED OBSERVER AWARE OF ALL THE FACTS TO DOUBT THE FAIRNESS OF THESE PROCEEDINGS.

Oral argument will be held at the Navy-Marine Corps Court of Criminal Appeals courtroom, Building 58, Washington Navy Yard.

For the Court

R.H. TROIDL
Clerk of Court
18 Sep 2008



Copy to:

NMCCA (71); Mr. Muise; 45 (Capt Kilian); 46 (LT Delgado); 02