

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CR. NO. 2:10cr186-MHT
)
 THOMAS E. COKER,)
 JAMES E. PREUITT,)
 JARRELL W. WALKER, JR.)

**UNITED STATES’ COMBINED OPPOSITION TO DEFENDANTS COKER’S,
PREUITT’S, AND WALKER’S MOTIONS TO DISMISS HONEST SERVICES
CHARGES**

The United States of America, through undersigned counsel, hereby opposes the motions to dismiss Counts 23 through 33 filed by defendants Coker, Preuitt, and Walker. Dkt. Nos. 411 (Coker), 445 (Preuitt), and 442 (Walker). These motions merely rehash the arguments made by defendant McGregor in a similar motion he filed regarding § 1346. Dkt. No. 208. The United States has made clear in response to that motion that defendant McGregor’s position is legally flawed and should be rejected. Dkt. No. 237. Those arguments apply with equal force to defendants Coker, Preuitt, and Walker, and the Court should likewise deny their motions for the same reasons.

Respectfully submitted,

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Attorney for the United States
Acting Under Authority of 28 U.S.C. § 515

JACK SMITH, Chief
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By: /s/ Eric G. Olshan
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on counsel of record through the Court's electronic filing system this 14th day of February, 2011.

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