

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
) **CR. NO. 2:10cr186-MHT**
)
JAMES E. PREUITT,)
)
 Defendant.)

**JAMES E. PREUITT’S MOTION TO DISMISS
BASED ON GRAND JURY INSTRUCTIONS**

COMES NOW the defendant, James E. Preuitt, by and through his attorney of record and hereby asks that the Indictment against him be dismissed based on the lack of or erroneous jury instructions given to the Grand Jury that returned the Indictment in this case.

James E. Preuitt, by and through his attorney of record, hereby adopts and incorporates by reference, as if fully set out herein the arguments and points of Law contained in the Motion to Dismiss Based on Grand Jury Instructions filed by Milton C. McGregor (Document 1212 filed June 1, 2011).

WHEREFORE THE PREMISES considered, the Defendant, James E. Preuitt, asks this Honorable Court to allow him to adopt the arguments and points of Law contained in Document 1212, grant this Motion, dismiss the Indictment against him, and further grant the relief sought therein.

RESPECTFULLY SUBMITTED this the 2nd day of June, 2011.

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CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2011, I filed the foregoing with the Clerk of the Court and a copy of same was mailed via regular mail to the following counsel of record:

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