

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:10-cr-186-MHT
)	
THOMAS E. COKER,)	
)	
Defendant.)	

TOM COKER’S PROPOSED JURY INSTRUCTIONS

COMES NOW TOM COKER by and through undersigned counsel and submits the following proposed changes to the Court’s Jury Instructions (Doc. 1640). Pursuant to discussions with the Court (Transcript of Sept. 7th, sealed, pp. 19-20), Coker understands that it is not necessary or appropriate for this document to include every proposed Jury Instruction that he submitted previously, or every prior objection that he made. Coker understands the Court’s ruling to be that all prior requests and objections are considered as preserved. Accordingly, Coker submits the following:

- 1) Coker adopts each and every of his previously proposed Jury Instructions;
- 2) Coker adopts each and every prior objection he has previously made; and
- 3) Coker adopts and incorporates as if herein set forth the proposed changes to

the Court’s Jury Instructions which are submitted by co-counsel as they relate to the following issues:

- A) General proposed changes to the Court's Jury Instructions which are unrelated to any specific count in the indictment;
- B) Proposed changes to the Court's Jury Instructions which relate to charges brought under 18 U.S.C. § 371 and/or specifically to Count I of the indictment;
- C) Proposed changes to the Court's Jury Instructions which relate to charges brought under 18 U.S.C. § 666(a)(2) and/or specifically to Count VIII of the indictment; and
- D) Proposed changes to the Court's Jury Instructions which relate to charges brought under 18 U.S.C. §§ 1343 and 1346 and/or specifically to Count XXXI of the indictment.

WHEREFORE, Coker respectfully requests that the jury be charged accordingly.

Respectfully submitted,

/s/ David McKnight

David McKnight

BAXLEY, DILLARD, MCKNIGHT & JAMES

2008 Third Avenue South

Birmingham, Alabama 35233

Telephone: 205.271.1100

Fax: 205.271.1108

Email: dmcknight@baxleydillard.com

CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ David McKnight

Of Counsel