

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

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL ACTION NO.
	)	2:10cr186-MHT
MILTON E. MCGREGOR,	)	(WO)
THOMAS E. COKER,	)	
LARRY P. MEANS,	)	
JAMES E. PREUITT,	)	
HARRI ANNE H. SMITH,	)	
JARRELL W. WALKER, JR.,	)	
and JOSEPH R. CROSBY	)	

OPINION AND ORDER

Federal Rule of Criminal Procedure 24(b)(2) permits the government six peremptory challenges and the defendant ten peremptory challenges in a non-capital felony case. In a multi-defendant case, it is within the district court's discretion to allow additional peremptory challenges and to allow the defendants to decide whether to exercise those challenges separately or jointly. Fed. R. Crim. P. 24(b).

Based upon the representations made in the filings of the parties, it is ORDERED as follows:

- (1) In addition to 12 principal jurors, four alternate jurors will be empaneled.
- (2) Two peremptory strikes will be allotted to each defendant, for a total of 14.
- (3) Eight peremptory strikes will be allotted to the government.
- (4) One additional peremptory strike will be allotted to each defendant for the selection of alternate jurors, for a total of seven.
- (5) Three additional peremptory strikes will be allotted to the government for the selection of alternate jurors.
- (6) The defendants may decide among themselves whether to use their challenges separately or jointly.

It is further ORDERED that the motions for additional strikes (Doc. Nos. 1855, 1870, & 1871),

filed by defendants Milton E. McGregor, Joseph R. Crosby, and Thomas E. Coker, are denied.

DONE, this the 1st day of November, 2011.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE