

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

Nos. 09-5388/5421/5422/5423/5424

**FILED**  
**Jan 07, 2011**  
LEONARD GREEN, Clerk

UNITED STATES OF AMERICA (09-5388),  
Plaintiff - Appellant/Cross-Appellee,

v.

CANAL BARGE COMPANY, INC. (09-5422), RANDOLPH MARTIN (09-5421),  
PAUL D. BARNES (09-5423), and JEFFERY A. SCARBOROUGH (09-5424),  
Defendants - Appellees/Cross-Appellants.

Before: BATCHELDER, Chief Judge; ROGERS and KETHLEDGE, Circuit Judges.

**JUDGMENT**

On Appeal from the United States District Court  
for the Western District of Kentucky at Owensboro.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the district court's judgment of acquittal for improper venue is REVERSED, and the case is REMANDED for further proceedings consistent with the opinion of this court.

**ENTERED BY ORDER OF THE COURT**



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Leonard Green, Clerk