

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 13-5625

UNITED STATES OF AMERICA,  
Plaintiff - Appellee,

v.

CHRISTOPHER TOMLINSON,  
Defendant - Appellant.

Before: DAUGHTREY, CLAY, and STRANCH, Circuit Judges.

**FILED**  
**Aug 20, 2014**  
DEBORAH S. HUNT, Clerk

**JUDGMENT**

On Appeal from the United States District Court  
for the Western District of Tennessee at Memphis.

THIS CAUSE was heard on the record from the district court and was submitted on the briefs without oral argument.

IN CONSIDERATION WHEREOF, it is ORDERED that the district court's ruling that Tomlinson waived his *Batson* challenge 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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Deborah S. Hunt, Clerk