

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

MARLON FRANCISCO VAZ,)	
)	
Petitioner,)	
)	
v.)	Case Number: 4:12-cv-03959-JHH-JHE
)	
FELICIA SKINNER, et al.,)	
)	
Respondents.)	
)	

MEMORANDUM OPINION

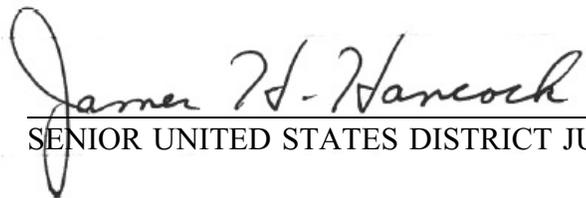
On October 27, 2014, the magistrate judge entered a Report and Recommendation, (doc. 15), recommending that this petition for writ of habeas corpus be dismissed without prejudice. After seeking additional time to respond, Petitioner Marlon Francisco Vaz (“Vaz”) filed objections on November 26, 2014. (Doc. 18).

In his objections, Vaz merely restates his claims that (1) his continued detention without release to seek private medical treatment is a violation of the Fifth Amendment, and (2) he has been detained for more than two years, which is longer than the presumptively reasonable six months after the removal period began. (Doc. 18 at 1). Vaz does not present any argument or authority to contradict the magistrate judge’s conclusions or to support his own conclusory assertion he should be released to seek private healthcare. (*Id.*). Nor does Vaz address the magistrate judge’s conclusions that he has refused to comply with Immigration and Customs Enforcement (“ICE”) in his removal and that a detainee cannot trigger a right to be free from indefinite detention where his own refusal to cooperate with ICE officials created the indefiniteness in the first place. (*Id.*). The court has considered the entire file in this action, together with the report and recommendation and

Vaz's objections, and has reached an independent conclusion that the report and recommendation is due to be adopted and approved.

Accordingly, the court hereby **ADOPTS** and **APPROVES** the findings and recommendation of the magistrate judge as the findings and conclusions of this Court. The petition for writ of habeas corpus is due to be **DISMISSED**. A separate Order will be entered.

DONE this the 3rd day of December, 2014.



SENIOR UNITED STATES DISTRICT JUDGE