

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

EFREN RAMIREZ CALDERON,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 4:14-CV-8007-VEH-HGD
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

MEMORANDUM OPINION

On October 23, 2014, the magistrate judge’s report and recommendation was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. Petitioner sought and obtained an extension to file objections, to December 8, 2014. On December 11, 2014, petitioner filed objections to the magistrate judge’s report and recommendation.¹ Despite the fact that the objections are untimely, the court will nonetheless consider them.

¹ While the objections were docketed on December 15, 2014, they were signed and submitted for mailing by petitioner on December 11, 2014. Therefore, December 11, 2014, is deemed to be the filing date. See *Houston v. Lack*, 487 U.S. 266, 271-72, 108 S.Ct. 2397, 101 L.Ed.2d 245 (1988); *Washington v. United States*, 243 F.3d 1299, 1301 (11th Cir. 2001); *Adams v. United States*, 173 F.3d 1339, 1340-41 (11th Cir. 1999); *Garvey v. Vaughn*, 993 F.2d 776, 780 (11th Cir. 1993).

After careful consideration of the record in this case and the magistrate judge's report and recommendation and petitioner's objections thereto, the court hereby **ADOPTS** the report of the magistrate judge. The court further **ACCEPTS** the recommendations of the magistrate judge that the Motion to Vacate, Srt Aside or Correct Sentence be denied.

A separate order in conformity with this Memorandum Opinion will be entered contemporaneously herewith.

DONE and **ORDERED** this 9th day of February, 2015.



VIRGINIA EMERSON HOPKINS
United States District Judge