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NOT FOR PUBLICATION

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,
Plaintiff-Respondent,
vs.
Placido Vasquez Torres,
Defendant-Movant.

No. CR06-0133-PHX-SRB
CV10-0126-PHX-SRB

ORDER

Movant, Placido Vasquez Torres, filed a Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 on January 21, 2010. The United States filed its response in opposition on August 6, 2010 and Movant filed his reply on August 19, 2010.

The Magistrate Judge filed his Report and Recommendation on December 10, 2010 recommending that Movant's Motion to Vacate, Set Aside, or Correct Sentence be denied.

In his Report and Recommendation the Magistrate Judge advised the parties that they had 10 days from the date of service of a copy of the Report and Recommendation within which to file specific written objections with the Court. The time to file such objections has expired and no objections to the Report and Recommendation have been filed.

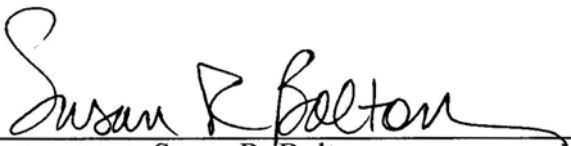
The Court finds itself in agreement with the Report and Recommendation of the Magistrate Judge.

1 IT IS ORDERED adopting the Report and Recommendation of the Magistrate Judge
2 as the order of this Court.

3 IT IS FURTHER ORDERED that Respondent's Motion to Vacate, Set Aside, or
4 Correct Sentence is denied. (CR06-0133 doc. 165 and CV10-0126 doc. 1).

5 IT IS FURTHER ORDERED denying Certificate of Appealability and leave to
6 proceed *in forma pauperis* on appeal.

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8 DATED this 13th day of January, 2011.

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12 Susan R. Bolton
13 United States District Judge
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