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NOT FOR PUBLICATION

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,)	No. CR09-0396-PHX-SRB
)	CV11-0122-PHX-BRB
Petitioner,)	ORDER
)	
vs.)	
)	
Peter Frank Burrue,)	
)	
Respondent.)	

Respondent, Peter Frank Burrue, filed a Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 on January 18, 2011. Petitioner filed its response in opposition on March 7, 2011. Respondent did not file a reply.

The Magistrate Judge filed his Report and Recommendation on April 18, 2011 recommending that Petitioner'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 14 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.

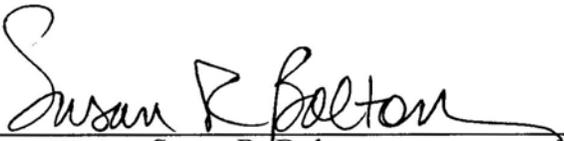
The Court finds itself in agreement with the Report and Recommendation of the Magistrate Judge.

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

IT IS FURTHER ORDERED that Respondent's Motion to Vacate, Set Aside, or Correct Sentence is denied and dismissed with prejudice.

DATED this 13th day of May, 2011.



Susan R. Bolton
United States District Judge