

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

United States of America,
Plaintiff/Respondent,
v.
David Casimiro Bravo-Cuevas,
Defendant/Movant.

No. CV-12-02043-PHX-SRB
CR02-01002-PHX-SRB
ORDER

Movant, David Casimiro Bravo-Cuevas, filed a Second Amended Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 on July 1, 2013. The United States filed its response in opposition on February 11, 2014. Movant did not file a reply.

The Magistrate Judge filed his Report and Recommendation on May 2, 2014 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 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

1 objections has expired and no objections to the Report and Recommendation have been
2 filed.

3
4 The Court finds itself in agreement with the Report and Recommendation of the
5 Magistrate Judge.

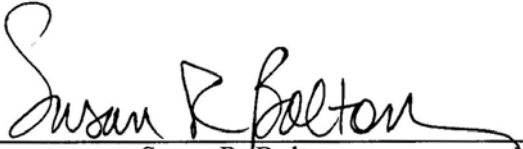
6 IT IS ORDERED adopting the Report and Recommendation of the Magistrate
7 Judge as the Order of this Court.

8
9 IT IS FURTHER ORDERED that Movant's Motion to Vacate, Set Aside or
10 Correct Sentence by a Person in Federal Custody pursuant to 28 U.S.C. § 2255 is denied.

11 IT IS FURTHER ORDERED that a Certificate of Appealability and leave to
12 proceed *in forma pauperis* on appeal is denied because Movant has not made a
13 substantial showing of the denial of a constitutional right.

14
15 IT IS FURTHER ORDERED directing the Clerk to enter judgment accordingly

16
17 Dated this 23rd day of June, 2014.

18
19
20
21 
22 Susan R. Bolton
23 United States District Judge
24
25
26
27
28