

1 NOT FOR PUBLICATION
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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Leonel Cano-Mendoza,

10 Petitioner,

11 v.

12 United States of America,

13 Respondent.

No. CV-13-01442-PHX-SRB

ORDER

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16 Petitioner filed his Petition for Error *Coram Nobis* on July 15, 2013 arguing that
17 the Court should find fundamental error occurred in his 1995 criminal matter, in which he
18 pled guilty to entering the United States without inspection. Respondent filed its Response
19 to Petitioner's Petition for Error *Coram Nobis* on November 5, 2013. No reply was filed.
20 On March 26, 2014, the Magistrate Judge issued her Report and Recommendation
21 recommending that the petition be denied.

22 In her Report and Recommendation the Magistrate Judge advised the parties that
23 they had 14 days from the date of service of a copy of the Report and Recommendation
24 within which to file specific written objections with the Court. The time to file such
25 objections has expired and no objections to the Report and Recommendation have been
26 filed.

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

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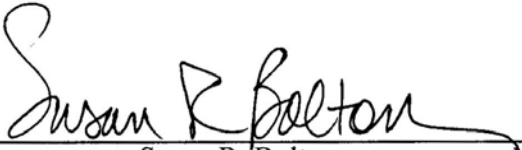
IT IS ORDERED adopting the Report and Recommendation of the Magistrate Judge as the order of this Court.

IT IS FURTHER ORDERED that the Petition for Writ of Error *Coram Nobis* Habeas Corpus is denied.

IT IS FURTHER ORDERED denying any Certificate of Appealability and leave to proceed in forma pauperis on appeal because Petitioner has not made a substantial showing of the denial of a constitutional right.

IT IS FURTHER ORDERED directing the Clerk to enter judgment accordingly.

Dated this 18th day of April, 2014.



Susan R. Bolton
United States District Judge