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

United States of America,  
Plaintiff/Respondent,  
v.  
Genaro Avila, Jr.,  
Defendant/Movant.

No. CV-16-02109-PHX-SRB  
CR-13-00118-PHX-SRB  
**ORDER**

Movant, Genaro Avila, Jr., filed his Third Amended Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 on December 12, 2016. The United States filed its response in opposition on March 10, 2017. Movant did not file a reply.

The Magistrate Judge filed her Report and Recommendation on September 29, 2017 recommending that Movant's Third Amended Motion to Vacate, Set Aside, or Correct Sentence be denied and dismissed with prejudice. In her Report and Recommendation, the Magistrate Judge advised the parties that they had fourteen 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.

