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

Marcus Garcia,

Petitioner,

v.

USA,

Respondent.

No. CV-16-03224-PHX-ROS

**ORDER**

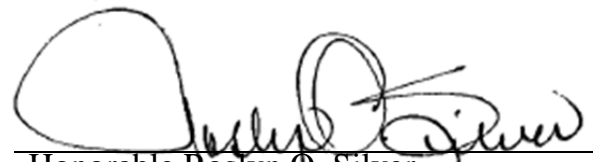
On June 26, 2017, Magistrate Judge David K. Duncan issued a Report and Recommendation recommending the motion pursuant to 28 U.S.C. § 2255 be denied. Petitioner did not file objections. Therefore, the Report and Recommendation will be adopted in full.

Accordingly,

**IT IS ORDERED** the Report and Recommendation (Doc. 21) is **ADOPTED IN FULL** and the motion pursuant to 28 U.S.C. § 2255 is **DENIED**.

**IT IS FURTHER ORDERED** a certificate of appealability and leave to proceed in forma pauperis on appeal are denied because Petitioner has not made a substantial showing of the denial of a constitutional right.

Dated this 11th day of August, 2017.



Honorable Roslyn O. Silver  
Senior United States District Judge