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

James Darnell Dixon,  
Movant/Defendant,  
v.  
United States of America,  
Respondent/Plaintiff.

No. CV-16-04590-PHX-SRB (BSB)  
CR-09-00516-PHX-SRB  
**ORDER**

Movant, James Darnell Dixon, filed a Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 on June 24, 2016. On March 15, 2017, the United States filed a Motion to Stay Further Proceedings on the Motion to Vacate Sentence pending the Ninth Circuit's decision in Supreme Court's decision in *Lynch v. Dimaya*, No. 15-1498 and Ninth Circuit's decision *United States v. Begay*, No. 14-10080. On March 19, 2017, Movant filed his response to the Motion to Stay. No reply was filed.

The Magistrate Judge filed her Report and Recommendation on May 3, 2017, recommending that the Motion to Stay Further Proceedings on the Motion to Vacate Sentence be granted. In the 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

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


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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. (Doc. 11)

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9 **IT IS FURTHER ORDERED** granting Respondent/Plaintiff's Motion to Stay  
10 Further Proceedings on the Motion to Vacate Sentence. (Doc. 6)

11 **IT IS FURTHER ORDERED** this matter is stayed pending the Supreme Court's  
12 decision in *Lynch v. Dimaya*, No. 15-1498 and the Ninth Circuit's decision in *United*  
13 *States v. Begay*, No. 14-10080.

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15 Dated this 30th day of May, 2017.

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21 Susan R. Bolton  
22 United States District Judge  
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