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UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

Jesus Praxedes Castro-Montano,)	
)	
)	
Petitioner,)	
)	
vs.)	JUDGMENT IN A CIVIL CASE
)	
United States of America,)	Case: CV-05-638-TUC-FRZ
)	CR-05-378-TUC-FRZ
Respondent.)	
_____)	

X **DECISION BY COURT.** This action came under consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED that Petitioner's § 2255 Motion (U.S.D.C. document #23 in CR-05-378-TUC-FRZ) is **DENIED** and this case (CV-05-638-TUC-FRZ) is **DISMISSED**.

IT IS FURTHER ORDERED that Petitioner's "Application to Proceed *In Forma Pauperis* by a Prisoner (Habeas)" (U.S.D.C. document #24 in CR-05-378-TUC-FRZ) is **DENIED AS MOOT**.

November 7, 2005
Date

RICHARD H. WEARE
CLERK

S/ M. Michelle Mejia
M. Michelle Mejia
Deputy Clerk

Copies to:
J/B, FRZ, Castro-Montano, all Counsel