

**CLOSED
CIVIL
CASE**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 98-2168-CIV-ATKINS
(90-862-CR-ATKINS)
MAGISTRATE JUDGE SORRENTINO

FILED by *[Signature]* D.C.
FEB 25 1999
CARLOS JUENKE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

GREGORIO MENA, :
 :
 Movant, :
 :
 v. :
 :
 UNITED STATES OF AMERICA, :
 :
 Respondent. :

ORDER OF DISMISSAL
OF §2255 MOTION
AS TIME BARRED

For the reasons stated in the Report of the Magistrate Judge and upon independent review of the file and upon receipt of Movant's "Notice of Appeal" (Filed February 17, 1999), which the Court construes as Movant's objections to the Report and Recommendation, it is

ORDERED AND ADJUDGED as follows:

1. This motion to vacate pursuant to 28 U.S.C. §2255 is dismissed, as time barred, and the case is closed.

2. All motions related to the civil case not otherwise ruled upon are dismissed, as moot.

DONE AND ORDERED at Miami, Florida, this 23rd day of February, 1999.

[Signature]
UNITED STATES DISTRICT JUDGE

cc: Gregorio Mena, Pro Se
Edward R. Ryan, AUSA

[Handwritten marks]