

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 10-21048-CIV-UNGARO

JOSE GONZALEZ,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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**ORDER ON MAGISTRATE JUDGE'S REPORT**

THIS CAUSE is before the Court upon Plaintiff's *pro se* Motion to Vacate, Set Aside, or Amend pursuant to 28 U.S.C. § 2255, filed April 2, 2010. (D.E. 1.)

THE COURT has reviewed the record as a whole and is otherwise fully advised in the premises.

This matter was referred to Magistrate Judge Patrick A. White, who, on November 4, 2010, issued a thorough Report recommending that the Motion be denied. (D.E. 15.) The parties were afforded the opportunity to file objections to the Magistrate Judge's Report; however, no objections were filed. The matter is now ripe for review. Accordingly, having conducted a *de novo* review of the record, it is hereby

ORDERED AND ADJUDGED that the Magistrate Judge's Report (D.E. 15) is RATIFIED, ADOPTED and AFFIRMED. Petitioner's *pro se* Motion to Vacate pursuant to 28 U.S.C. § 2255 (D.E. 1) is DENIED. It is further

ORDERED AND ADJUDGED that Petitioner's request for an evidentiary hearing is

DENIED AS MOOT.

DONE AND ORDERED in Chambers at Miami, Florida, this 30th day of November,  
2010.



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URSULA UNGARO  
UNITED STATES DISTRICT JUDGE

copies provided:  
Jose Gonzalez, *pro se*