

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 10-23591-CIV-LENARD/WHITE

**EVENS RAYMOND,**

Movant,

v.

**UNITED STATES OF AMERICA,**

Respondent.

**ORDER ADOPTING REPORT & RECOMMENDATION OF MAGISTRATE  
JUDGE (D.E. 17) AND DISMISSING MOTION TO VACATE SENTENCE  
PURSUANT TO 28 U.S.C. § 2255 (D.E. 1)**


**THIS CAUSE** is before the Court on the Report and Recommendation of the Magistrate Judge (“Report,” D.E. 17), issued on April 1, 2011, recommending that Movant Evens Raymond’s Motion to Vacate Sentence pursuant to 28 U.S.C. § 2255 be dismissed as time-barred. Therein, Movant was provided fourteen (14) days to file objections to the Report. To date, Movant has not filed any objections to the Report. Failure to timely file objections shall bar parties from attacking on appeal the factual findings contained in the report. See Resolution Trust Corp. v. Hallmark Builders, Inc., 996 F.2d 1144, 1149 (11th Cir. 1993). Therefore, after an independent review of the Report and record, it is hereby **ORDERED AND ADJUDGED** that:

1. The Report of the Magistrate Judge (D.E. 17), issued on April 1, 2011, is

**ADOPTED;**

2. The Motion to Vacate Sentence pursuant to 28 U.S.C. § 2255 (D.E. 1), filed on or about October 4, 2010, is **DISMISSED** as time-barred;
3. All other pending motions are **DENIED AS MOOT**;
4. This case is now **CLOSED**.

**DONE AND ORDERED** in Chambers at Miami, Florida this 29th day of April, 2011.

  
**JOAN A. LENARD**  
**UNITED STATES DISTRICT JUDGE**