

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 16-20130-CIV-SEITZ/WHITE

MANUEL MANNY MARTEL,

Movant,

v.

UNITED STATES OF AMERICA,

Defendant,

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**ORDER ADOPTING REPORT, DENYING CERTIFICATE OF APPEALABILITY, AND  
CLOSING CASE**

THIS CAUSE is before the Court on the Report of Magistrate Judge [DE-15], in which Magistrate Judge White recommends that Movant's Motion to Vacate be denied, a certificate of appealability not be issued, and this case be closed. Movant has not filed objections to the Report. Thus, having carefully reviewed, *de novo*, Magistrate Judge White's Report, the record, and given that Movant does not object, it is

ORDERED that:

- (1) The above-mentioned Report of Magistrate Judge [DE-15] is AFFIRMED and ADOPTED,<sup>1</sup> and incorporated by reference into this Court's Order;
- (2) Movant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct a Sentence [DE-1] is DENIED.
- (3) All pending motions not otherwise ruled upon in this Order are DENIED AS MOOT;
- (4) The Court will not issue a Certificate of Appealability; and

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<sup>1</sup>The Court affirms and adopts the Report with the following correction: on page 4, the second to last sentence in the only full paragraph should read, "Counsel discussed each of the plea agreement's fourteen paragraphs with Movant so he could understand what it meant and the impact on him."

(5) This case is CLOSED.

DONE and ORDERED in Miami, Florida, this 4<sup>R</sup> day of April, 2017.

A handwritten signature in black ink, reading "Patricia A. Seitz", written over a horizontal line.

PATRICIA A. SEITZ  
UNITED STATES DISTRICT JUDGE

cc: Magistrate Judge White  
All Counsel of Record