

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 16-23219-Civ-COOKE  
(11-20110-Cr-COOKE)

MARCO HERNANDEZ,

Movant,

vs.

UNITED STATES OF AMERICA,

Respondent.

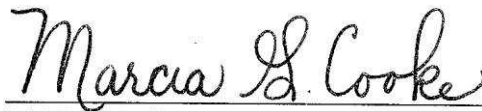
---

**ORDER ADOPTING REPORT OF MAGISTRATE JUDGE**

THIS MATTER was referred to the Honorable Lisette M. Reid, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B) and Administrative Order 2003-19 of this Court, for a ruling on all pre-trial, non-dispositive matters and for a Report and Recommendation on any dispositive matters. ECF Nos. 3, 22. Movant, Marco Hernandez, has filed an Amended Motion to Vacate pursuant to 28 U.S.C. § 2255. ECF No. 18. The United States opposes the Amended Motion. ECF Nos. 19, 26. On November 3, 2020, Judge Reid issued a Report of Magistrate Judge, recommending the Amended Motion to Vacate be DENIED, that no certificate of appealability issue, that final judgment be entered, and this case closed. ECF No. 27. Movant did not file objections to Judge Reid's Report, and the time to do so has passed.

Having considered Judge Reid's Report, the Amended Motion, the United States' response, the record, and the relevant legal authorities, the Court finds Judge Reid's Report clear, cogent, and compelling. Accordingly, it is **ORDERED and ADJUDGED** that Judge Reid's Report of Magistrate Judge (ECF No. 27) is **AFFIRMED and ADOPTED**. The Amended Motion to Vacate (ECF No. 18) is **DENIED**. The Court declines to issue a Certificate of Appealability. The Clerk shall **CLOSE** this case. All pending motions are **DENIED as moot**.

**DONE and ORDERED** in Chambers at Miami, Florida, this 30th day of November 2020.

A handwritten signature in cursive script that reads "Marcia G. Cooke". The signature is written in black ink and is positioned above a horizontal line.

MARCIA G. COOKE  
United States District Judge

Copies furnished to:  
*Lisette M. Reid, U.S. Magistrate Judge*  
*Counsel of Record*