

United States District Court
for the
Southern District of Florida

Sandra Huarte, Movant,)	
)	
v.)	Civil Action No. 16-23720-Civ-Scola
)	
United States of America,)	
Respondent.)	

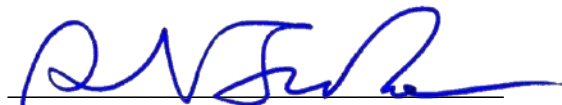
Order Adopting Magistrate Judge's Report And Recommendation

This case was referred to United States Magistrate Judge Patrick A. White, consistent with Administrative Order 2003-19 of this Court, for a ruling on all pre-trial, nondispositive matters and for a report and recommendation on any dispositive matters. On March 5, 2018, Judge White issued a report, recommending that the Court deny Movant Sandra Huarte's motion. (Report of Magistrate, ECF No. 22.) Huarte filed objections to the report. (Objs., ECF No. 26.) The Court also directed the Government to file a response to Huarte's objections to address why an evidentiary hearing was not warranted in her case when her brother and father, who were Huarte's co-defendants at trial, were granted an evidentiary hearing. (Order, ECF No. 25.) The Government filed its response as directed. (Response, ECF No. 29.)

The Court has reviewed de novo those portions of Judge White's report to which Huarte objects, and the remaining parts for clear error. *See* 28 U.S.C. § 636(b); *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Having considered Judge White's report, Huarte's objections, the Government's response, and the relevant legal authorities, the Court finds Judge White's report and recommendation cogent and compelling and that an evidentiary hearing is not warranted in this case.

Accordingly, the Court **affirms and adopts** Judge White's report and recommendation (**ECF No. 22**). The Court **denies** Huarte's motion (**ECF No. 1**). The Court does not issue a certificate of appealability. Finally, the Court directs the Clerk to **close** this case. Any pending motions are **denied as moot**.

Done and ordered, at Miami, Florida, on July 13, 2018.



Robert N. Scola, Jr.
United States District Judge