

United States District Court
for the
Southern District of Florida

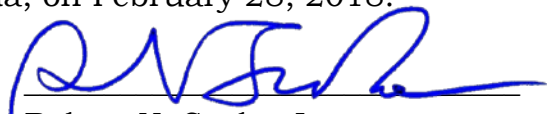
Lenncy W. Jeudy, Movant,)
)
v.) Civil Action No. 18-20547-Civ-Scola
)
United States of America,)
Respondent.)

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 February 14, 2018, Judge White issued a report, recommending that the Court dismiss this proceeding for lack of jurisdiction because the motion to vacate (ECF No. 1) is an unauthorized successive motion, for which Jeudy failed to obtain certification from the Eleventh Circuit Court of Appeals. (Report of Magistrate, ECF No. 3.) Rather than file objections to the Report, Jeudy has filed a notice of appeal. (ECF No. 4.)

Nevertheless, the Court has considered Judge White's report, the record, and the relevant legal authorities. This is Jeudy's second motion to vacate under section 2255, in which he attacks his underlying guilty plea in case number 14-20620-cr-SCOLA. (*See also* case number 17-cv-23098-SCOLA.) The Court denied Jeudy's previous motion as time-barred, and he has not sought leave to file the present motion. Upon review, the Court finds Judge White's report and recommendation cogent and compelling. The Court therefore **affirms and adopts** Judge White's report and recommendation (ECF No. 11). The Court **dismisses** this case for lack of jurisdiction, as the motion to vacate sentence (ECF No. 1) is an unauthorized second section 2255 motion, and a certificate of appealability is **denied**. Finally, the Court directs the Clerk to **close** this case. Any pending motions are denied as moot.

Done and ordered at Miami, Florida, on February 28, 2018.



Robert N. Scola, Jr.
United States District Judge