

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

DENNIS MITCHELL,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CIVIL ACTION NO.: 2:16-cv-104

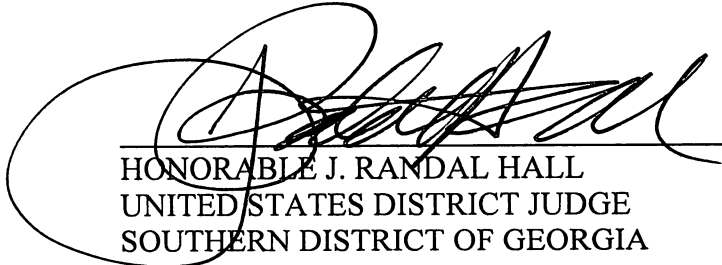
(Rel. Case No.: 2:07-cr-33)

ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, (doc. 5), as set forth herein. Petitioner Dennis Mitchell ("Mitchell") and Respondent did not file any Objections to the Magistrate Judge's Report and Recommendation.

The Court **GRANTS** Petitioner's Motion to Vacate, Set Aside, or Correct Sentence, filed pursuant to 28 U.S.C. § 2255. (Doc. 1.) The Court **VACATES** Mitchell's sentence and will resentence Mitchell after an updated Pre-Sentence Investigation report has been prepared.

SO ORDERED, this 22nd day of September, 2016.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA