

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ALAN FRAGUA,

Petitioner,

v.

1:16-cv-01404-RB-WPL

MATTHEW ELWELL¹, Director,
Sandoval County Detention Center,


Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION**

This matter is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition (PFRD), filed May 8, 2017. (Doc. 12.) Respondent Elwell filed a notice of non-objection. (Doc. 14.)

IT IS THEREFORE ORDERED that:

- 1) the PFRD is adopted as an order of the Court;
- 2) the Petition (Doc. 1) is GRANTED; and
- 3) Fragua's conviction is REVERSED.



UNITED STATES DISTRICT JUDGE

¹ Matthew Elwell, the new Director of the Sandoval County Detention Center, is automatically substituted for his predecessor, Al Casamento, as the respondent in this suit. FED. R. CIV. P. 25(d).