

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

CV 16-664 WJ/WPL
CR 13-2624 WJ

PHILLIP NAPOLEON CONTRERAS,


Defendant.

**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 August 25, 2017. (CV Doc. 20; CR Doc. 60.) The parties were notified that objections were due within fourteen days of service of the PFRD and that if no objections were filed, no appellate review would be allowed. The parties have notified the Court that they will not be filing Objections.

IT IS THEREFORE ORDERED that:

- 1) the PFRD is adopted as an order of the Court;
- 2) the Motion Under 28 U.S.C. § 2255 and *Johnson v. United States*, 135 S. Ct. 2551 (2015) is denied;
- 3) this cause is dismissed with prejudice; and
- 4) a certificate of appealability is denied.



UNITED STATES DISTRICT JUDGE