

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

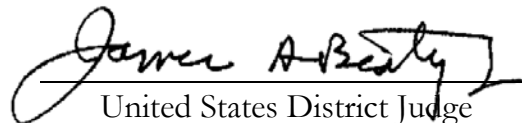
JUAN CELSO ZAVALETA PEREZ,	)	
Petitioner,	)	
v.	)	1:14CV311
	)	
FRANK L. PERRY,	)	
Respondent.	)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on January 28, 2015, was served on the parties in this action. Petitioner objected to the Recommendation. [Doc. # 12.]

The Court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination in accord with the Magistrate Judge's report. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Respondent's Motion to Dismiss [Doc. # 6] is GRANTED and that the Petition [Doc. # 2] is DENIED. A Judgment dismissing this action will be entered contemporaneously with this Order. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

  
 United States District Judge

Date: February 10, 2015