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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

BRAD WAYNE KEATON	§	
VS.	§	CIVIL ACTION NO. 1:11cv639
UNITED STATES OF AMERICA	§	

MEMORANDUM ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Brad Wayne Keaton, proceeding *pro se*, filed a motion seeking an extension of time to file a motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255. The Court referred the matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the matter be dismissed without prejudice for lack of subject-matter jurisdiction.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. No objections were filed.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in accordance with the Magistrate Judge's recommendation.

So **ORDERED** and **SIGNED** this **23** day of **January, 2012.**

Ron Clark, United States District Judge

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