

developments.” *Flast v. Cohen*, 392 U.S. 83, 95, 88 S.Ct. 1942, 20 L.Ed.2d 947 (1968). Due to movant’s death, the requested relief is no longer possible and the motion to vacate, set aside or correct sentence is moot.

ORDER

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

SIGNED this the **15** day of **November, 2017**.



Thad Heartfield
United States District Judge