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**UNITED STATES DISTRICT COURT**
**EASTERN DISTRICT OF TEXAS**


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JUAN CARLOS DUARTE-VASQUEZ, §

Movant, §

*versus* §

CIVIL ACTION NO. 1:17-CV-486 §

UNITED STATES OF AMERICA, §

Respondent. §

**MEMORANDUM ORDER ADOPTING  
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Juan Carlos Duarte-Vasquez, an inmate confined within the Bureau of Prisons, proceeding *pro se*, filed this motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255. The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending a motion for voluntary dismissal filed by movant be granted and the motion to vacate dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a).

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. No objections were filed to the magistrate judge's Report and Recommendation.

**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** as the opinion of the court.

Movant's motion for voluntary dismissal is **GRANTED**. A final judgment will be entered dismissing this motion to vacate.

SIGNED at Beaumont, Texas, this 19th day of August, 2019.

A handwritten signature in black ink that reads "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE