

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

WILLIE LAMPLEY,

Movant,

versus

UNITED STATES OF AMERICA,

Respondent.

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CIVIL ACTION NO. 1:19-CV-622

**MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING THE
MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Movant, Willie Lampley, an inmate currently confined at FCI Seagoville, proceeding pro se, filed this motion to vacate, set aside, or correct sentence filed pursuant to 28 U.S.C. § 2255.

The court referred this matter to the Honorable Christine Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends denying Movant’s Motion for Default Judgment (Doc. # 38).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. Movant filed objections to the Magistrate Judge’s Report and Recommendation on November 22, 2021 (Doc. # 43). This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

As outlined by the magistrate judge, the United States filed a response within sixty (60) days of entry of the Order to Show Cause. The response was timely. There is no requirement that a responsive pleading be made under penalty of perjury. There is no basis to support a motion for default judgment on the present record.

ORDER

Accordingly, the objections of the plaintiff are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**.

SIGNED at Beaumont, Texas, this 6th day of January, 2022.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE