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

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KYLE MATTHEW SCHRADER,

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Movant,

versus

CIVIL ACTION NO. 1:20-CV-403

UNITED STATES OF AMERICA,

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Respondent.

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

Kyle Matthew Schrader, an inmate confined at the Jefferson County Jail, proceeding *pro se*, filed this motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255.

The court previously referred the motion to vacate to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that movant's motion for voluntary dismissal 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 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**. The motion for voluntary dismissal is **GRANTED**. A final judgment will be entered dismissing the motion to vacate.

SIGNED at Beaumont, Texas, this 2nd day of June, 2021.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE