

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

CLEMENTE VALDEZ, JR. #16505-078

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§  
§

V.

CIVIL ACTION NO. 4:14cv757  
CRIM NO. 4:09CR142(5)

UNITED STATES OF AMERICA

**ORDER ADOPTING REPORT AND RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Kimberly Johnson who issued a Report and Recommendation concluding that the motion pursuant to 28 U.S.C. § 2255 to vacate, set aside or correct sentence should be denied and the case should be dismissed with prejudice. The Petitioner has filed objections to the Report and Recommendation of United States Magistrate Judge Johnson. The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration and, having made a *de novo* review of the objections raised by the Petitioner to the report, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections of the Petitioner are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the court. It is accordingly

**ORDERED** that the motion pursuant to 28 U.S.C. § 2255 to vacate, set aside or correct sentence is **DENIED** and the case is **DISMISSED WITH PREJUDICE**. All motions by either party not previously ruled on are hereby **DENIED**.

**SIGNED this the 31st day of March, 2017.**



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE