
 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

 PATRICK FITZGERALD KELLY,
 #14142-078

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versus
 CIVIL ACTION NO. 4:14-CV-829
 CRIMINAL ACTION NO. 4:06-CR-297(1)

UNITED STATES OF AMERICA

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Don D. Bush. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the court concludes that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the court. It is accordingly

ORDERED that Movant's Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Dkt. #1) pursuant to 28 U.S.C. § 2255 is **DISMISSED** without prejudice. All motions by either party not previously ruled upon are **DENIED**.

SIGNED at Beaumont, Texas, this 22nd day of May, 2015.



 MARCIA A. CRONE
 UNITED STATES DISTRICT JUDGE