
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

CURTIS RAY TYSON, #14590-078

versus

UNITED STATES OF AMERICA

§
§
§
§
§CIVIL ACTION NO. 4:16-CV-794
CRIMINAL ACTION NO. 4:07-CR-164(1)**ORDER OF DISMISSAL**

The above-entitled and numbered civil action was referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation concluding that the motion to vacate, set aside, or correct sentence filed pursuant to 28 U.S.C. § 2255 should be dismissed without prejudice. Movant filed objections.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Having made a *de novo* review of the objections raised by Movant to the Report, the Court concludes that the findings and conclusions of the Magistrate Judge are correct and the objections of Movant are without merit.

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

SIGNED at Sherman, Texas, this 8th day of February, 2017.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE