
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

ANTONIO NAVAREZ REYES, #20582-078 §

versus

UNITED STATES OF AMERICA

§
§
§
§

CIVIL ACTION NO. 4:17-CV-719

CRIMINAL ACTION NO. 4:12CR00252-007

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

The above-entitled and numbered civil action was referred to United States Magistrate Judge Christine A. Nowak, who issued a Report and Recommendation concluding that Movant Antonio Navarez Reyes' Motion to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody (#1) pursuant to 28 U.S.C. § 2255 should be granted. 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 is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court.

It is accordingly **ORDERED** that Movant Antonio Navarez Reyes' Motion to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody (#1) pursuant to 28 U.S.C. § 2255 is **GRANTED** to the extent that the sentence imposed in Criminal Number 4:12CR00252-007 is **VACATED**, and Movant shall be resentenced.

It is further **ORDERED** that the United States Probation Office shall prepare a new Presentence Investigation Report reflecting Movant's objection to the previous Presentence Investigation Report and the correct calculation.

It is finally **ORDERED** that all other motions by either party not previously ruled on are **DENIED**.

SIGNED at Beaumont, Texas, this 15th day of November, 2018.

A handwritten signature in black ink that reads "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE