

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

| | | |
|----------------------------------|---|------------------------------|
| ALEJANDRO RUIZ-ROJAS, #60999-379 | § | |
| | § | |
| VS. | § | CIVIL ACTION NO. 4:18cv257 |
| | § | CRIMINAL NO. 4:17CR00143-001 |
| UNITED STATES OF AMERICA | § | |

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND GRANTING § 2255 MOTION**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Kimberly C. Priest Johnson. 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 therefore **ORDERED** that Movant Alejandro Ruiz-Rojas' Motion to Vacate, Set Aside or Correct a Sentence pursuant to 28 U.S.C. § 2255 is **GRANTED**, that the sentence imposed in Criminal Number 4:17CR00143-001 is **VACATED**, and that Movant shall be resentenced. All other motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this 21st day of February, 2019.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE