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 UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

COREY EVANS, #18875-078

§

*versus*

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CIVIL ACTION NO. 4:20-CV-492

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CRIMINAL ACTION NO. 4:14-CR-97(1)

§

UNITED STATES OF AMERICA

§

**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 (#19) concluding that the Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody filed pursuant to 28 U.S.C. § 2255 should be granted pursuant to the parties' Agreed Resolution and Joint Motion for Disposition of Motion to Vacate Sentence (#17). The parties waived the fourteen-day period for filing objections.

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 (#1) pursuant to 28 U.S.C. § 2255 and the Agreed Resolution and Joint Motion (#17) is **GRANTED**. It is further **ORDERED** that the fifteen-year sentence imposed in Criminal Number 4:14-CR-97(1) is **VACATED**, and the case is **REMANDED** for resentencing to a term of ten years. All other remaining parts of Movant's sentence remain unchanged. All motions by either party not previously ruled upon are **DENIED**.

SIGNED at Beaumont, Texas, this 26th day of April, 2021.




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 MARCIA A. CRONE  
 UNITED STATES DISTRICT JUDGE