

United States District Court  
Southern District of Texas

**ENTERED**

June 28, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

JULIO ADOLFO TORRES,  
Petitioner,

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VS.

CIVIL NO. B-13-238  
(CRIMINAL NO. B-12-303-2)

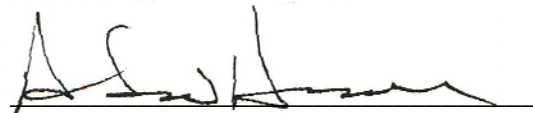
UNITED STATES OF AMERICA,  
Respondent.

**ORDER**

On March 18, 2016, the United States Magistrate Judge filed a Report and Recommendation [Doc. No. 26]. Petitioner has objected [Doc. No. 38] to said Report and Recommendation.

Having considered *de novo* the Magistrate Judge's Report and Recommendation and the issues raised by Petitioner's objections, the Court hereby adopts the Report and Recommendation. Therefore, Julio Adolfo Torres' Motion to Vacate, Set Aside or Correct Sentence Pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is dismissed on the basis that Torres has waived his right to file the instant petition. Alternatively, it is denied as meritless. Further, the issuance of a Certificate of Appealability is denied.

Signed this 28<sup>th</sup> day of June, 2016.



Andrew S. Hanen  
United States District Judge