

United States District Court
Southern District of Texas

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

April 04, 2017

David J. Bradley, Clerk

VICENTE MURO GOMEZ,
Petitioner,

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v.

Civil Action No. 1:16-cv-00125
(Criminal Action 1:10-cr-1055-1)

UNITED STATES OF AMERICA,
Respondent.

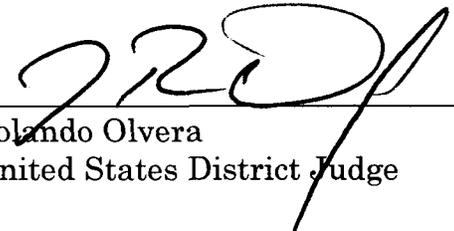
**ORDER ADOPTING MAGISTRATE
JUDGE’S REPORT AND RECOMMENDATION**

Before the Court is the “Magistrate Judge’s Report and Recommendation” (hereafter “R&R”) (Docket No. 5). The R&R recommends dismissing Gomez’s “Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody” (Docket No. 1-2) and “Petitioner’s Memorandum in Support of His Motion Under 28 U.S.C. § 2255, Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody” (Docket No. 1). No Objections have been filed. After a de novo review of the file, the R&R is **ADOPTED**.

It is therefore **ORDERED, ADJUDGED, and DECREED** that Gomez’s “Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody” (Docket No. 1-2) and “Petitioner’s Memorandum in Support of His Motion Under 28 U.S.C. § 2255, Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody” (Docket No. 1) are **DISMISSED** with prejudice pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings for the United States District Courts. A certificate of appealability shall not issue.

The Clerk is **ORDERED** to close this case.

Signed on this 4th day of April, 2017.



Rolando Olvera
United States District Judge