

United States District Court
Southern District of Texas
ENTERED
January 31, 2017
David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

RAFAEL PEDREZ,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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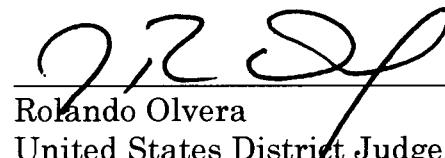
Civil Action No. 1:16-cv-00216
(Criminal Action No. 1:12-cr-00004-1)

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

Before the Court is the "Magistrate Judge's Report and Recommendation" (Docket No. 5) in the above-captioned case. The Magistrate Judge's Report and Recommendation recommends that Rafael Pedrez's "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody" (Docket No. 1) be transferred to the Fifth Circuit for consideration as a successive § 2255 motion. No objections have been filed.

After a de novo review of the file, the "Magistrate Judge's Report and Recommendation" (Docket No. 5) is **ADOPTED**. It is therefore **ORDERED** that Pedrez's "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody" (Docket No. 1) is **TRANSFERRED** to the Fifth Circuit for consideration.

Signed on this 31 day of January, 2017.



Rolando Olvera
United States District Judge