United States District Court Southern District of Texas

ENTERED

June 27, 2017 David J. Bradley, Clerk

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

SAMUEL PEREZ,	§	
Movant,	§	
	§	
v.	§	Civil Action No. 1:16-cv-00227
	§	(Criminal Action 1:11-cr-439-1)
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. 10). The R&R recommends dismissing Samuel Perez' "Motion Under 28 U.S.C. § 2255 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 Samuel Perez' "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody" (Docket No. 1) is **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 _	26th	day of June	, 2017.
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		Rolando Olvera United States District Judg	ge