

United States District Court  
Southern District of Texas

**ENTERED**

April 11, 2018

David J. Bradley, Clerk

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

JOSE ESTRADA-CARRIZALES,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

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Civil Action No. 1:16-cv-266  
(Criminal No. 1:15-cr-854-1)

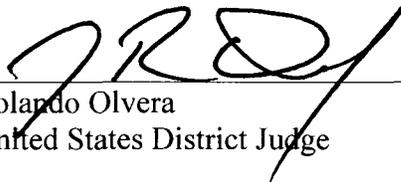
**ORDER ADOPTING MAGISTRATE  
JUDGE’S REPORT AND RECOMMENDATION**

Before this Court is the “Magistrate Judge’s Report and Recommendation” (Docket No. 37) in the above-referenced civil action. No objections were filed. After a *de novo* review of the record, the Magistrate Judge’s Report and Recommendation is hereby **ADOPTED**.

It is therefore **ORDERED, ADJUDGED, and DECREED** that the “United States’ Response to Movant’s § 2255 Motion and Motion to Dismiss” (Docket No. 25) is hereby **GRANTED**. Therefore, Petitioner’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 hereby **DISMISSED** with prejudice and this Court declines to issue a Certificate of Appealability.

The Clerk of the Court is hereby **ORDERED** to close the case.

Signed on this 10<sup>th</sup> day of April, 2018.

  
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Rolando Olvera  
United States District Judge