

United States District Court
Southern District of Texas

ENTERED

March 22, 2017

David J. Bradley, Clerk

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

JAVIER CISNEROS,	§	
Petitioner,	§	
	§	
VS.	§	CIVIL NO. B-17-036
	§	(CRIMINAL NO. B-94-181-13)
UNITED STATES OF AMERICA,	§	
Respondent.	§	

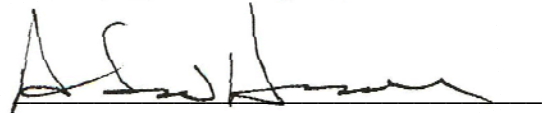
ORDER

On February 15, 2017, the United States Magistrate Judge filed a Report and Recommendation [Doc. No. 5]. Petitioner has objected [Doc. No. 10] to said Report and Recommendation.

Petitioner's Motion for Enlargement of Time to File Objections to Magistrate's Report and Recommendation [Doc. No. 9] is granted and the objections filed in Civil Cause No. B-17-036 (Document No. 10) have been considered. The Motion for Reassignment of Case to a District Judge or a New Magistrate Judge in Criminal Cause No. B-94-181-13 [Document No. 787] is denied, although a practical matter, the undersigned is a United States District Judge so the Report and Recommendation process has effectively placed this matter before a United States District Judge. 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. Petitioner Javier Cisneros' § 2255 petition [Doc. No. 1] is dismissed for lack of jurisdiction as a successive petition, and the Court prohibits Cisneros from filing any future collateral attacks on his

conviction unless given permission by the Fifth Circuit Court of Appeals. The issuance of a Certificate of Appealability is denied.

Signed this 22nd day of March, 2017.

A handwritten signature in black ink, appearing to read 'Andrew S. Hanen', written over a horizontal line.

Andrew S. Hanen
United States District Judge