

United States District Court
Southern District of Texas

ENTERED

November 21, 2017

David J. Bradley, Clerk

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

OFELIA VALLIN-NIEVES,
Petitioner,

V.

UNITED STATES OF AMERICA
Respondent.

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CIVIL ACTION NO. B-17-173
(CRIMINAL NO. B-14-142-1)

ORDER

Pending is the Magistrate Judge's September 5, 2017, Report and Recommendation in the above-referenced cause of action. [Doc. No. 4] No objections have been lodged by either side and the time for doing so has expired.

Having reviewed all of the pleadings and the Report and Recommendation for plain error and having found none, it is the opinion of the Court that the Magistrate Judge's Report and Recommendation is hereby adopted. Therefore, it is ordered that Petitioner Ofelia Vallin-Nieves's § 2255 petition [Doc. No. 1] is dismissed for lack of jurisdiction as a successive petition. The issuance of a Certificate of Appealability is denied.

Signed this 20th day of November, 2017.



Andrew S. Hanen
United States District Judge