

United States District Court
Southern District of Texas

ENTERED

March 29, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

PABLO LUCIO VASQUEZ
Petitioner

§

§

§

VS.

§

CIVIL ACTION NO. 7:16-CV-115

§

WILLIAM STEPHENS, Director,
Texas Department of Criminal Justice
Correctional Institutions Division

§

§

§

Respondent

ORDER ADOPTING REPORT AND RECOMMENDATION

Pending before the Court is Petitioner's action pursuant to 28 U.S.C. § 2254 (Doc. #1), which had been referred to the Magistrate Court for a report and recommendation. Also pending are Petitioner's Motion to Stay Execution (Doc. #3), and objections (Doc. #11). On March 22, 2016, the Magistrate Court issued the Report and Recommendation, recommending that Petitioner's motion to stay execution be denied, and that his claim under 28 U.S.C. § 2254 be denied and dismissed with prejudice.

Pursuant to Federal Rule of Civil Procedure 72(b), after having reviewed Petitioner's objections, the Court has conducted a de novo review of the Report and Recommendation. Finding no clearly erroneous error, the Court adopts the Report and Recommendation in its entirety. Accordingly, it is hereby **ORDERED** that Petitioner's Motion to Stay Execution (Doc. #3) is **DENIED**, Petitioner's 28 U.S.C. § 2254 claim (Doc.#1) is **DENIED** and **DISMISSED** with prejudice, and a Certificate of Appealability is **DENIED**.

SO ORDERED this 29th day of March, 2016, at McAllen, Texas.



Randy Crane
United States District Judge