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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

BY

05-CV-00209-ORD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ALFONSO VASQUEZ-AYALA, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 UNITED STATES OF AMERICA, )  
 )  
 Respondent. )

CASE NO. C05-209-MJP-MJB  
(CR03-174P)

ORDER DISMISSING § 2255 MOTION

The Court, having reviewed petitioner's motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence, the government's response, petitioner's reply, the Report and Recommendation of the Honorable Monica J. Benton, United States Magistrate Judge, any objections thereto, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's § 2255 motion (Dkt. #1) is DISMISSED.
- (3) The Clerk is directed to send a copy of this Order to petitioner, to counsel for respondent, and to Judge Benton.

DATED this 3 day of January, 2006.

*Marsha J. Pechman*  
MARSHA J. PECHMAN  
United States District Judge

ORDER DISMISSING § 2255 MOTION