

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

RICKY JOE MITCHELL,

Movant,

v.

Civil Action No. 2:15-cv-05501  
(Criminal No. 2:13-cr-00201)

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM OPINION AND ORDER

Pending before the court is movant's pro se motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 (ECF No. 87), filed on April 30, 2015.

This action was previously referred to the Honorable Dwane L. Tinsley, United States Magistrate Judge, for submission to the court of his Proposed Findings and Recommendation ("PF&R") for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B).

On June 19, 2018, Magistrate Judge Tinsley entered his PF&R. In a thorough opinion, he recommended that the Section 2255 motion be denied, inasmuch as the movant is not entitled to

relief on any of the grounds asserted therein, and that this action be dismissed from the docket of the court.

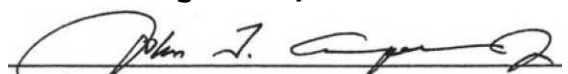
Because neither party has filed objections, de novo review of the matter by this court has been waived.

After due and proper consideration of the issues raised, it is, accordingly, ORDERED as follows:

1. That the findings in Magistrate Judge Tinsley's Proposed Findings and Recommendation be, and they hereby are, adopted and incorporated in full.
2. That movant's motion under 28 U.S.C. § 2255 be denied inasmuch as the movant is not entitled to the relief he requests.
3. That this action be dismissed and removed from the docket of the court.

The Clerk is directed to forward copies of this memorandum opinion and order to the movant, all counsel of record, and United States Magistrate Judge Dwane L. Tinsley.

DATED: August 1, 2018



John T. Copenhaver, Jr.  
United States District Judge