

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

DAVID DEAN BUZZARD, JR.,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

CIVIL ACTION NO. 3:21-0291  
CRIMINAL ACTION NOS. 3:08-00014  
2:13-00005

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted Findings of Fact and recommended that the Motion and Amended Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody pursuant to 28 U.S.C. § 2255 and Motion Seeking a Hearing (ECF Nos. 111, 118, 136) be denied, and that this action be dismissed, with prejudice, and removed from the docket of the Court. No objections to the Magistrate Judge's findings and recommendations have been filed.

Accordingly, the Court accepts and incorporates herein the findings and recommendations of the Magistrate Judge and **ORDERS** that the Motion and Amended Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody pursuant to 28 U.S.C. § 2255 and Motion Seeking a Hearing (ECF Nos. 111, 118, 136) be **DENIED**, and that this action be **DISMISSED**, with prejudice, and removed from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER:        March 23, 2022

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE