

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

March 9, 2017

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DERRICK DESEAN RICHARDSON,

Defendant - Appellant.

No. 17-1002
(D.C. Nos. 1:16-CV-01416-WJM and
1:13-CR-00353-WJM-1)
(D. Colo.)

ORDER AND JUDGMENT*

Before **MATHESON, BACHARACH**, and **PHILLIPS**, Circuit Judges.

This matter is before us on the appellee’s Motion for Summary Affirmance (the “Motion”). The United States moves for summary affirmance of the district court’s order and separate judgment denying relief under 28 U.S.C. § 2255 in light of the Supreme Court’s decision in *Beckles v. United States*, __S. Ct.__, 2017 WL 855781 (March 6, 2017). The appellant Derrick Desean Richardson does not oppose the Motion.

Upon consideration, the Motion is granted. The judgment of the district court is affirmed.

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

The mandate shall issue forthwith.

Entered for the Court
Per Curiam