

**UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 20-80095-CR-CANNON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES CLEARY,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

THIS CAUSE comes before the Court upon the Report and Recommendation entered by Magistrate Judge Bruce Reinhart Following Change of Plea Hearing [ECF No. 78]. On August 6, 2021, Magistrate Judge Reinhart held a Change of Plea hearing during which Defendant pled guilty to Count One of the Information [ECF No. 1] pursuant to a written plea agreement and stipulated factual proffer statement [ECF No. 70]. Magistrate Judge Reinhart thereafter issued a Report and Recommendation on Change of Plea [ECF No. 78]. No party has filed objections to the Report, and the time to do so has expired.

The Court has conducted a review of the record and finds no error in the Report. Therefore, it is **ORDERED AND ADJUDGED** as follows:

1. The Report and Recommendation [ECF No. 78] is **AFFIRMED AND ADOPTED**.
2. The guilty plea entered into by Defendant James Cleary as to Count One of the Information is **ACCEPTED**;
3. Defendant James Cleary is adjudicated guilty of Count One of the Information, which charges Defendant with conspiracy to commit wire fraud, in violation of 18 U.S.C.

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§ 1349 [ECF No. 1].

DONE AND ORDERED in Chambers at Fort Pierce, Florida this 7th day of September 2021.

A handwritten signature in black ink, appearing to read 'Aileen Cannon', written over a horizontal line.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record