

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

IMAD ATA SIHWAIL,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

7:14-CV-64 (HL)

28 U.S.C. § 2255

7:10-CR-11 (HL)

ORDER

Before the Court is the Recommendation (Doc. 85) of the United States Magistrate Judge that some of Petitioner's claims in his Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence (Doc. 79) be denied. Petitioner has not filed an objection to the Recommendation.¹ The Court has reviewed the Recommendation for clear error and, finding none, accepts and adopts it in full. The Court's previous order (Doc. 88) is vacated.

The Court finds that Petitioner has failed to make a substantial showing that he has been denied a constitutional right, and a certificate of appealability is therefore denied. 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 483-84, 120 S.Ct. 1595, 146 L.Ed.2d 542 (2000).

¹ After the Recommendation was entered, Petitioner did file what he styled as a "Motion for Summary Judgment," (Doc. 86), but this did not refer to the Recommendation. In any case, Petitioner subsequently filed a motion to withdraw the "Motion for Summary Judgment."

SO ORDERED, this 9th day of September, 2014.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

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