

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

JIMMY ROSSER,	:	
Movant,	:	CRIMINAL ACTION NO.
	:	1:16-CR-0427-AT-10
v.	:	
	:	CIVIL ACTION NO.
UNITED STATES OF AMERICA,	:	1:20-CV-3726-AT
Respondent.	:	

**ORDER**


Presently before the Court is the Magistrate Judge's Report and Recommendation (R&R) recommending that the instant 28 U.S.C. § 2255 motion to vacate be denied. [Doc. 1462]. Petitioner has not filed objections in response to the R&R.

A district judge has broad discretion to accept, reject, or modify a magistrate judge's proposed findings and recommendations. United States v. Raddatz, 447 U.S. 667, 680 (1980). Pursuant to 28 U.S.C. § 636(b)(1), the Court reviews any portion of the Report and Recommendation that is the subject of a proper objection on a *de novo* basis and any non-objected portion under a "clearly erroneous" standard.

After a review of the record and in the absence of objections, this Court concludes that the Magistrate Judge is correct. Accordingly, the R&R, [Doc. 1462], is **ADOPTED** as the order of this Court, and Movant's 28 U.S.C. § 2255 motion to vacate, [Doc. 1327], is **DENIED**.

This Court further agrees with the Magistrate Judge that Movant has not “made a substantial showing of the denial of a constitutional right,” 28 U.S.C. §2253(c)(2), and a certificate of appealability is **DENIED**. The Clerk is **DIRECTED** to close Civil Action Number 1:20-CV-3726-AT.

**IT IS SO ORDERED**, this 8th day of September, 2021.

  
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**AMY TOTENBERG**  
**UNITED STATES DISTRICT JUDGE**