

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

UNITED STATES OF AMERICA

v.

DERRICK VAUGHN,

Defendant.

CRIMINAL ACTION FILE

NO. 1:22-CR-107-MHC-JEM-5

ORDER

This action comes before the Court on the Final Report and Recommendation (“R&R”) of Magistrate Judge J. Elizabeth McBath [Doc. 147] recommending that Defendant’s Motion to Suppress Statements [Doc. 120] be denied.. The Order for Service of the R&R [Doc. 148] provided notice that, in accordance with 28 U.S.C. § 636(b)(1), the parties were authorized to file objections within fourteen (14) days of the receipt of that Order. See also FED. R. CRIM. P. 59(a). No objections have been filed within the permitted time period.

Absent objection, the district court judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge,” 28 U.S.C. § 636(b)(1), and need only satisfy itself that there is no plain error on the face of the record. See United States v. Slay, 714 F.2d 1093, 1095 (11th Cir.

1983). The Court has reviewed the R&R and finds no clear error and that the R&R is supported by law.

Accordingly, the Court **ADOPTS** the R&R [Doc. 147] as the Opinion and Order of this Court. It is hereby **ORDERED** that Defendant's Motion to Suppress Statement [Doc. 120] is **DENIED**.

It is further **ORDERED** that the time between the date the Magistrate Judge certified Defendant as ready for trial on June 15, 2023, and the issuance of this Order, shall be excluded in calculating the date on which the trial of this case must commence under the Speedy Trial Act because the Court finds that the delay is for good cause, and the interests of justice in considering Defendant's potential objections to the Report and Recommendation outweigh the right of the public and the right of the Defendant to a speedy trial, pursuant to 18 U.S.C. § 3161 et seq.

IT IS SO ORDERED this 7th day of July, 2023.



MARK H. COHEN

United States District Judge