

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

CHARLES DEANDRE ROMAN,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

CRIMINAL ACTION NO.
4:13-cr-00057-WMR-JHR-1

CIVIL ACTION NO.
4:26-cv-00039-WMR-JHR

ORDER

Charles DeAndre Roman moves to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255. Motion (Mot.) (Doc. 56). The United States argues the motion should be granted in part. Response (Resp.) (Doc. 59). After consideration, the magistrate judge entered a report and recommendation (Doc. 60), recommending the following:

- Roman's motion to vacate his sentence be granted as to his ineffective assistance of counsel claims, and dismissed as untimely and procedurally defaulted as to his claim that his guilty plea was not knowing and voluntary
- A certificate of appealability be denied
- Civil Action No. 4:26-cv-00039 be closed

- The judgment in Criminal Action No. 4:13-cr-00057 be vacated
- Roman's 180-month sentence be reimposed with the specification that it runs concurrently with his state custodial sentence.

After a complete review, a district judge may accept, reject, or modify a magistrate judge's report and recommendation. *See* 28 U.S.C. § 636(b)(1). If a party files a timely and specific objection to a finding or recommendation by a magistrate judge, the district judge must conduct a *de novo* review with respect to that factual issue. *See Stokes v. Singletary*, 952 F.2d 1567, 1576 (11th Cir. 1992); 28 U.S.C. § 636(b)(1). Even in the absence of an objection, the district judge reviews the magistrate judge's legal conclusions *de novo*. *See Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994).

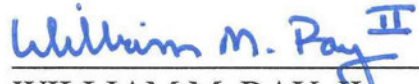
In the absence of any timely objection and after reviewing the factual findings and legal conclusions, the following is **ORDERED**:

- A. The Court **ADOPTS** the report and recommendation (Doc. 60) and makes it part of this order for all purposes.
- B. Roman's motion to vacate (Doc. 56) is **GRANTED** as to his ineffective assistance of counsel claims and **DISMISSED** as untimely and procedurally defaulted as to his claim that his guilty plea was not knowing and voluntary.
- C. A certificate of appealability is **DENIED**.
- D. The Clerk shall **CLOSE** Civil Action No. 4:26-cv-00039.

E. The Court **VACATES** the judgment in Criminal Action No. 4:13-cr-00057.

F. The Court **REIMPOSES** Roman's 180-month sentence to run concurrently with his state custodial sentence.

IT IS SO ORDERED, this 14th day of May, 2026.



WILLIAM M. RAY, II
UNITED STATES DISTRICT JUDGE