

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,) CASE NO. 1:19-cr-184
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PLAINTIFF,) JUDGE SARA LIOI
)
)
vs.)
) ORDER
)
XAVIER ROBLES-CRUZ,)
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)
DEFENDANT.)

This matter is before the Court upon Magistrate Judge Kathleen B. Burke's Report and Recommendation that the Court ACCEPT the plea of guilty of defendant Xavier Robles-Cruz and enter a finding of guilty against defendant. (Doc. No. 247.)

On June 19, 2019, the government filed a Superseding Indictment against defendant (Doc. No. 15.) On October 31, 2019, this Court issued an order assigning this case to Magistrate Judge Burke for the purpose of receiving defendant's guilty plea. (Doc. No. 183.)

On December 6, 2019, a hearing was held in which defendant entered a plea of guilty to Count 1 of the Superseding Indictment, charging him with Conspiracy to Possess with the Intent to Distribute and Distribute Cocaine, in violation of 21 U.S.C. Section 841 (a)(1), ((b)(1)(B) and (b)(1)(C) and 846. Magistrate Judge Burke received defendant's guilty plea and issued a Report and Recommendation ("R&R") recommending that this Court accept the plea and enter a finding of guilty. (Doc. No. 247.)

Neither party objected to the Magistrate Judge's R&R in the fourteen days after it was issued.

Upon *de novo* review of the record, the Magistrate Judge's R&R is ADOPTED. Specifically, the Court finds as follows: that the defendant is competent to enter a plea, that he understands his constitutional rights, that he is aware of the consequences of entering a plea, and that there is an adequate factual basis for the plea. The Court further finds that the plea was entered knowingly, intelligently, and voluntarily. Accordingly, the defendant's plea of guilty is APPROVED.

Therefore, the defendant is adjudged guilty of Count 1s in violation of 21 U.S.C. Section 841 (a)(1), ((b)(1)(B) and (b)(1)(C) and 846. The sentencing will be held on March 17, 2020 at 10:00 a.m.

IT IS SO ORDERED.

Dated: January 2, 2020


HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE