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

MAURICE FAYNE, **Fed. Reg. No. 73197-019,** **Movant,** **v.** **UNITED STATES OF AMERICA,** **Respondent.**	**MOTION TO VACATE** **28 U.S.C. § 2255** **CRIMINAL ACTION FILE** **NO. 1:20-CR-228-MHC-JKL** **CIVIL ACTION FILE** **NO. 1:23-CV-4917-MHC-JKL**

ORDER

This matter is before the Court on the Report and Recommendation ("R&R") of the Magistrate Judge [Doc. 337] recommending that Movant's Motion to Vacate, set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 be denied without prejudice for failure to comply with a lawful order of the Court. The Order for Service of the R&R [Doc. 338] provided notice that, in accordance with 28 U.S.C. § 636(b)(1), Movant was authorized to file objections within fourteen (14) days of the service of that Order. No objections to the R&R 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,"

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28 U.S.C. § 636(b)(1). Based upon the absence of objections to the R&R, in accordance with 28 U.S.C. § 636(b)(1), the Court has reviewed the R&R for plain error. See United States v. Slay, 714 F.2d 1093, 1095 (11th Cir. 1983). The Court finds no plain error and that the R&R is supported by law.

Consequently, the Court **APPROVES AND ADOPTS** the Report and Recommendation [Doc. 337] as the Opinion and Order of the Court. It is hereby **ORDERED** that Movant's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [Doc. 326] is **DENIED WITHOUT PREJUDICE** for failure to comply with the Magistrate Judge's Order of March 12, 2024. See LR 41.3A(2), NDGa.

The Clerk is **DIRECTED** to close the civil case file.

IT IS SO ORDERED this 30th day of May, 2024.

Mark H. Cohen

MARK H. COHEN
United States District Judge