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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**JEREMY JOHNSON,**

**Defendant.**

**MEMORANDUM DECISION  
AND ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Case No. 2:11-cr-501-DN-PMW

District Judge David Nuffer

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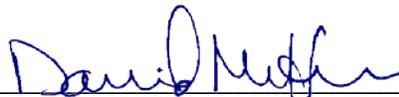
The Report and Recommendation<sup>1</sup> issued by United States Magistrate Judge Paul M. Warner on January 12, 2016 recommends that Mr. Johnson's Motion to Dismiss<sup>2</sup> be DENIED.

Mr. Johnson was notified of his right to file objections to the Report and Recommendation within 14 days of service pursuant to [28 U.S.C. § 636](#), [Fed. R. Civ. P. 72](#), and [Fed. R. Crim. P. 59](#). As of the date of this Order, no objection has been filed to the Report and Recommendation. Therefore, any right of review has been waived.<sup>3</sup>

IT IS HEREBY ORDERED that the Report and Recommendation<sup>4</sup> is ADOPTED and the Motion to Dismiss<sup>5</sup> is DENIED.

Signed January 27, 2016.

BY THE COURT

  
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District Judge David Nuffer

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<sup>1</sup> Report and Recommendation, [docket no. 978](#), filed January 12, 2016.

<sup>2</sup> Motion to Dismiss, [docket no. 753](#), filed November 16, 2015.

<sup>3</sup> [Fed. R. Crim. P. 59\(b\)\(2\)](#).

<sup>4</sup> [Docket no. 978](#).

<sup>5</sup> [Docket no. 753](#).