

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:00-cr-0004
	)	
REMY AUGUSTIN,	)	
	)	
Defendant.	)	

ORDER¹

BEFORE THE COURT are the following motions filed by Defendant Remy Augustin ("Augustin" or "Defendant"):

1. Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody, filed on June 23, 2016. (ECF No. 333); and
2. Defendant's Motion to Supplement § 2255 Motion to Vacate, Set-Aside or Correct Sentence, filed on April 2, 2018. (ECF No. 355).

Magistrate George Cannon issued a Report and Recommendation ("R&R") on April 10, 2018, recommending, *inter alia*, that Augustin's section 2255 motion be denied. (ECF No. 357 at 5-7.) Augustin did not file any objections. The Court conducted a de novo review of the record and has made an independent determination finding no error in the R&R.² Accordingly, it is hereby

ORDERED that the Magistrate Judge's Report and Recommendation, ECF No. 333, is **APPROVED** and **ADOPTED** as an Order of this Court as if fully set forth herein; it is further

¹ Due to the retirement of the judge previously assigned to this case, the undersigned, exercising his authority as Chief Judge of the District Court, reassigned this case to himself on February 17, 2026.

² See *Hill v. Barnacle*, 655 Fed. Appx. 142, 148 (3d Cir. 2016) (opining that the district court is not required to make separate findings or conclusions when reviewing a Magistrate Judge's report and recommendation de novo under 28 U.S.C. § 636(b)) (citing *Elmendorf Grafica, Inc. v. D.S. America, Inc.*, 48 F.3d 46, 49-50 (1st Cir. 1995) (opining that "[28 U.S.C. § 636(b)] authorizes the district court to adopt in whole as well as in part the proposed findings and recommendations of the magistrate judge. Where, as here, the magistrate judge decided on an undisputed factual record, the district court was certainly not required to rehash the magistrate judge's reasoning. The role of the magistrate judge is 'to relieve courts of unnecessary work.'" (citations omitted)).

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ORDERED that Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody, filed on June 23, 2016, ECF No. 333, is **DENIED**; it is further

ORDERED that Defendant's Motion to Supplement § 2255 Motion to Vacate, Set-Aside or Correct Sentence, filed on April 2, 2018, ECF No. 355, is **DENIED**; it is further

ORDERED that a certificate of appealability is **DENIED**; it is further

ORDERED that a copy of this Order shall be served on Remy Augustin by certified mail return receipt requested and that a copy of the return receipt shall be filed on the docket; and it is further

ORDERED that a copy of this Order shall be docketed in the companion civil case of *Augustin v. United States*, Case No. 1:16-cv-0042 and the Clerk of Court is directed to **CLOSE** that case.

Dated: March 4, 2026

/s/ Robert A. Molloy
ROBERT A. MOLLOY
Chief Judge