

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

VICTOR CANCEL,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

) **D.C. CV. NO. 2010-036**
)
) Ref: D.C. CR. NO. 2008-031
)
)
)
)
)

ORDER

Consistent with the memorandum opinion of even date, it is hereby

ORDERED that the government's motion to dismiss Cancel's 28 U.S.C. § 2255 motion is **GRANTED**; and further

ORDERED that other pending motions, if any, are **DENIED** as moot; and further

ORDERED that a certificate of appealability is not warranted;
and finally

ORDERED that the Clerk of the Court shall **CLOSE** the above-captioned files.

DONE AND SO ORDERED this 19 day of September 2011.

E N T E R:

/s/ Raymond L. Finch

RAYMOND L. FINCH
SENIOR DISTRICT JUDGE

Copies to:

George W. Cannon, Jr., Magistrate Judge
Denise Hinds, AUSA
Victor Cancel, Reg. No. 33200-069, Federal Correctional
Institution Miami, P.O. Box 779800 Miami, FL 33177 (Please Mark:
"LEGAL MAIL")