

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

ORDER  
03-CR-33

CARLOS GARCIA-BENITEZ, et al.,

Defendants.

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The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(A). On July 25, 2005, Magistrate Judge Scott filed a Report and Recommendation, recommending that defendants' omnibus motions be denied to the extent that they seek suppression of the evidence obtained pursuant to the various eavesdrop orders.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties. No objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, defendants' omnibus motions are denied to the extent that they seek suppression of the evidence obtained pursuant to the various eavesdrop orders.

The case is referred back to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

/s/ Richard J. Arcara

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HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

Dated: August 16 , 2005