

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

October 31, 2012

Lyle W. Cayce
Clerk

No. 10-50583
Summary Calendar

CESAR CHAVEZ-BARRAZA,

Petitioner-Appellant

v.

UNITED STATES OF AMERICA; BUREAU OF PRISONS; WARDEN OF
REEVES COUNTY DETENTION CENTER III; UNITED STATES ATTORNEY
GENERAL,

Respondents-Appellees

Appeals from the United States District Court
for the Western District of Texas
USDC No. 4:10-CV-36

Before HIGGINBOTHAM, OWEN, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

Cesar Chavez-Barraza, federal prisoner # 58304-180, an alien against whom the Bureau of Immigration and Customs Enforcement has issued a detainer subjecting him to immediate removal from the United States upon release from Bureau of Prisons (BOP) custody, appeals the denial of his 28 U.S.C. § 2241 petition challenging the BOP's exclusion of him from

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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rehabilitation programs and halfway houses. The petition is foreclosed by this court's decision in *Gallegos-Hernandez v. United States*, 688 F.3d 190, 192-93 (5th Cir. 2012), *petition for cert. filed* (Sept. 14, 2012) (No. 12-6450).

AFFIRMED.