

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

United States Court of Appeals
Fifth Circuit

FILED

March 11, 2013

Lyle W. Cayce
Clerk

No. 11-50742

Summary Calendar

JOSE NAVA-DURAN,

Petitioner-Appellant

v.

UNITED STATES OF AMERICA; WARDEN, REEVES COUNTY DETENTION
CENTER III; BUREAU OF PRISONS; GEO GROUP,

Respondents-Appellees

Appeal from the United States District Court
for the Western District of Texas
USDC No. 4:11-CV-37

Before JONES, DENNIS, and HAYNES, Circuit Judges.

PER CURIAM:*

Jose Nava-Duran, federal prisoner # 16548-081, 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 rehabilitation programs and halfway houses. The petition is foreclosed by this court's decision in

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 11-50742

Gallegos-Hernandez v. United States, 688 F.3d 190, 192-93 (5th Cir.), *cert. denied*, 133 S. Ct. 561 (2012).

AFFIRMED.