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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

JUAN CARLOS VALDEZ BERNAL,
A-17-989-923,

Petitioner,

vs.

MICHAEL CHERTOFF, Secretary of the
Department of Homeland Security; et al.,

Respondents.

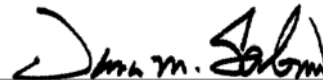
CASE NO. 06cv1662 DMS (AJB)

**ORDER DISMISSING CASE FOR
LACK OF SUBJECT MATTER
JURISDICTION**

On August 16, 2006, Petitioner Juan Carlos Valdez Bernal filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. On August 22, 2006, this Court dismissed the Petition for failure to pay the filing fee. Petitioner has recently paid the fee, and the Clerk of Court reopened the case. However, upon review of the Petition, it appears Petitioner is challenging an order of removal. Pursuant to 8 U.S.C. § 1252(a)(5), this Court no longer has subject matter jurisdiction over such claims for relief. Rather, jurisdiction is found only in the courts of appeal. Accordingly, the Court hereby dismisses the Petition for lack of subject matter jurisdiction.

IT IS SO ORDERED.

DATED: September 22, 2006



DANA M. SABRAW
United States District Judge

cc: all parties