

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 12-12344-GAO

JUAN SOUSA PONTE, a/k/a JOHN S. PONTE,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

ORDER
January 23, 2013

O'TOOLE, D.J.

The petitioner, Juan Sousa Ponte, filed a petition for writ of error coram nobis, alleging ineffective assistance of counsel concerning his entry of a guilty plea to a criminal information in 1997. He is scheduled to be removed from the United States to Portugal on January 24, 2013, and now seeks a stay of removal. However, under 8 U.S.C. § 1252(g), “no court shall have jurisdiction to hear any cause or claim by or on behalf of any alien arising from the decision or action by the Attorney General to commence proceedings, adjudicate cases, or execute removal orders against any alien under this chapter.” This Court lacks jurisdiction to grant the relief sought. Therefore, the petitioner’s emergency motion (dkt. no. 6) for stay of removal is DENIED.

It is SO ORDERED.

/s/ George A. O’Toole, Jr.
United States District Judge