

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-20643  
Summary Calendar

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CLIFFORD JOGIE,

Petitioner-Appellant,

versus

UNITED STATES DEPARTMENT OF JUSTICE - INS  
DIVISION,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-01-CV-446

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December 14, 2001

Before POLITZ, SMITH, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

The district court's judgment of March 26, 2001, dismissing Clifford Jogie's application for a writ of habeas corpus under 28 U.S.C. § 2241 for lack of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

jurisdiction is VACATED and the matter is REMANDED for further consideration in light of INS v. St. Cyr<sup>1</sup> and Calcano-Martinez v. INS.<sup>2</sup>

VACATED and REMANDED.

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<sup>1</sup>121 S. Ct. 2271, 2278-87 (2001).

<sup>2</sup>121 S. Ct. 2268, 2270 (2001).