

**FILED**

November 9, 2001

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-21090  
Summary Calendar

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PRINCE DWIGHT MAX-GEORGE,

Petitioner-Appellant,

versus

JOHN D. ASHCROFT, U.S. Attorney General;  
RICHARD CRAVENER, District Director,

Respondents-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-98-CV-3932  
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ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES  
Before JOLLY, EMILIO M. GARZA, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

The district court's judgment of December 1, 1998,  
dismissing Max-George's application for a writ of habeas corpus  
under 28 U.S.C. § 2241 for lack of jurisdiction is VACATED. The  
case is REMANDED to the district court for further consideration  
consistent with INS v. St. Cyr, 121 S. Ct. 2271, 2278-87 (2001)  
and Calcano-Martinez v. INS, 121 S. Ct. 2268, 2270 (2001).

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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that this opinion should not be published and is not precedent  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.

The Respondents' motion for leave to file a supplemental brief and Max-George's motion for leave to file a response to the supplemental brief are DENIED. Max-George's motion for sanctions under 28 U.S.C. § 1927 is not well taken and is DENIED.

VACATED and REMANDED; MOTIONS DENIED.