

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 01-51060  
Summary Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

FEDERICO JOSE MALDONADO-ALEMAN,

Defendant-Appellant.

-----  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. MO-00-CR-159-ALL  
-----

December 23, 2002

Before JONES, STEWART and DENNIS, Circuit Judges.

PER CURIAM:\*

Federico Jose Maldonado-Aleman (Maldonado) appeals his conviction of illegal reentry into the United States after having been convicted of an aggravated felony and deported. We AFFIRM.

Maldonado contends that his conviction should be reversed because he is entitled to assert the invalidity of his July 2000 deportation order on authority of INS v. St. Cyr, 533 U.S. 289 (2001). Maldonado may not challenge the validity of that order, however, because he has not shown (1) that he exhausted his

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

administrative remedies relative to the order; (2) that he was denied the opportunity for judicial review of the order; and (3) that the entry of the order was fundamentally unfair. 8 U.S.C. § 1326(d); see United States v. Benitez-Villafuerte, 186 F.3d 651, 658 n.8 (5th Cir. 1999).

AFFIRMED.