

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

March 27, 2003

Charles R. Fulbruge III
Clerk

No. 02-41412
Summary Calendar

CLINT EDWARD CLARK,

Petitioner-Appellant,

versus

ERNEST V. CHANDLER, Warden,

Respondent-Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
(1:00-CV-571)

Before DAVIS, WIENER, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Petitioner-Appellant Clint Edward Clark, federal prisoner # 29919-004, was convicted of bank robbery and sentenced to 262 months' imprisonment. He appeals the dismissal of his 28 U.S.C. § 2241 petition. He argued that the Bureau of Prisons violated his right to privacy by disclosing personal medical information and that it maintained records containing erroneous information in violation of 5 U.S.C. § 522a(e)(5) and § 522a(g).

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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 district court's determination that claims like Clark's are cognizable only under 42 U.S.C. § 1983, not under 28 U.S.C. § 2241, is correct. Thus, the court's dismissal of his petition for failure to state a claim was not error. See Carson v. Johnson, 112 F.3d 818, 820 (5th Cir. 1997). Neither is Clark's claim that he was erroneously sentenced as a career offender cognizable under 28 U.S.C. § 2241. See Tolliver v. Dobre, 211 F.3d 876, 877 (5th Cir. 2000). The district court's dismissal of Clark's petition is AFFIRMED.

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