

July 11, 2003

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-30368  
Summary Calendar

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HASSAN KHALIL NAIM,

Plaintiff-Appellant,

versus

JOHN ASHCROFT; BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 2:02-CV-2528  
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Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Hassan Khalil Naim (Naim) appeals the district court's denial of his petition for writ of habeas corpus, 28 U.S.C. § 2241. When he filed his petition, Naim was in Immigration and Naturalization Service (INS) custody. He asked the district court to order the INS to release him because he is a United States citizen or national not subject to removal and alleging violations of his rights under the due-process and equal-protection clauses of the Constitution and violations of international law.

Naim does not challenge the district court's denial of his

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

habeas petition in his appellate brief. Accordingly, he has abandoned any such challenge. See Brinkmann v. Dallas Cty. Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987). The district court's judgment is AFFIRMED.

In his brief, Naim asks this court for a petition for review of the order of removal, pursuant to 8 U.S.C. § 1252(b)(5). However, he has not filed a timely petition. See 8 U.S.C. § 1252(b)(1)-(2). Accordingly, this court lacks jurisdiction to consider the brief as a petition for review. See Navarro-Miranda v. Ashcroft, \_\_\_ F.3d \_\_\_, 2003 WL 21018847, \*4 (5th Cir. 2003).

AFFIRMED.