

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-10448
Conference Calendar

ISAAC OLUWASOGO ALONGE,

Petitioner-Appellant,

versus

IMMIGRATION AND NATURALIZATION SERVICE,

Respondent-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:00-CV-2513-G

August 21, 2001

Before KING, Chief Judge, and POLITZ and PARKER, Circuit Judges.

PER CURIAM:*

Isaac Oluwasogo Alonge appeals the district court's dismissal without prejudice for lack of exhaustion of state-court remedies of his petition for a writ of habeas corpus. Alonge has not challenged the district court's reason for dismissing his petition. Accordingly, it is as if Alonge had not appealed the judgment. *See Brinkmann v. Dallas County Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987) (when appellant fails to identify error in district court's analysis, it is the same as if appellant had not appealed judgment).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

To the extent that Alonge was attempting to challenge his order of removal, we lack jurisdiction under 28 U.S.C. § 2241 to consider Alonge's claims. See *Garnica-Vasquez v. Reno*, 210 F.3d 558, 560 (5th Cir. 2000).

Alonge's appeal is without arguable merit and is frivolous. See *Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983).

Because the appeal is frivolous, it is DISMISSED. See 5th Cir. R. 42.2.

APPEAL DISMISSED AS FRIVOLOUS.