

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-31053

Summary Calendar

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JORGE ANIBAL GALVEZ,

Petitioner-Appellant,

versus

IMMIGRATION AND NATURALIZATION SERVICE,

Respondent-Appellee.

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Appeal from the United States District Court  
For the Western District of Louisiana

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(01-CV-200)  
March 19, 2002

Before HIGGINBOTHAM, WIENER, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Jorge Anibal Galvez appeals the denial of his habeas petition, in which he sought to challenge the validity of his 1999 deportation order. Galvez contends that his New York state court conviction of sexual abuse of a minor, a misdemeanor under state law, was incorrectly classified as an aggravated felony for immigration law purposes. He asserts that the district court had jurisdiction to consider his contention. Galvez's New York

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

conviction was an aggravated felony because the term of imprisonment was one year.<sup>1</sup> Accordingly, we AFFIRM the denial of his habeas petition.

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<sup>1</sup> *United States v. Urias-Escobar*, 2002 WL 87572 (5<sup>th</sup> Cir.).