

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-40219
USDC No. 5:01-CV-216

GEORGE D. FARQUHAR,

Petitioner-Appellant,

versus

N. LEE CONNER, Warden

Respondent-Appellee.

Appeal from the United States District Court
for the Eastern District of Texas

September 19, 2002

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

PER CURIAM:*

George D. Farquhar, federal prisoner # 28074-077, appeals the district court's denial of his motion for release pending the district court's disposition of his petition filed pursuant to 28 U.S.C. § 2241. Farquhar has not raised substantial constitutional claims upon which he has a high probability of success or shown that extraordinary or exceptional circumstances exist which make the grant of bail necessary to make the habeas remedy effective. Calley v. Callaway, 496 F.2d 701, 702 (5th

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Cir. 1974). The district court's denial of Farquhar's motion is AFFIRMED.

Farquhar has also filed a motion in this court for release pending this court's review of the district court's decision not to release him pending that court's disposition of his § 2241 petition. Given that review of the district court's decision not to release Farquhar is no longer pending, the instant motion is DENIED as moot.