

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-50328
Summary Calendar

JAIME VASQUEZ,

Petitioner-Appellant,

versus

R. D. MILES, Warden, Federal Correctional Institution, Bastrop,

Respondent-Appellee.

Appeal from the United States District Court
for the Western District of Texas
USDC No. A-01-CV-728-JN

October 29, 2002

Before HIGGINBOTHAM, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:*

Jaime Vasquez, federal prisoner # 64305-080, appeals the denial of his petition styled habeas corpus, requesting his transfer to a minimum-security prison camp. Vasquez also requests this court to order the Bureau of Prisons to remove allegedly incorrect information from his central file, and monetary damages. We AFFIRM.

The Bureau of Prisons did not abuse its discretion by refusing to transfer Vasquez to a prison camp, because its

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

decision is supported by irrefutable facts. See Whitley v. Hunt, 158 F.3d 882, 889 (5th Cir. 1998).

Vasquez requests this court to order the Bureau of Prisons to correct his central file, to show that he has a minimum-custody classification, on authority of the Freedom of Information Act (FOIA), 5 U.S.C. § 552a. Vasquez's reliance on exhibits he filed with his habeas corpus petition is misplaced, because they do not show that he is entitled to minimum custody. See Fendler v. United States Bureau of Prisons, 846 F.2d 550, 554 (9th Cir. 1988). Finally, Vasquez is not entitled to monetary damages under the FOIA. Id.

AFFIRMED.