

December 5, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-30114
Summary Calendar

NICO BENN,

Petitioner-Appellant,

versus

BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT,

Respondent-Appellee.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 02-CV-388

Before JONES, BENAVIDES, and CLEMENT, Circuit Judges.

PER CURIAM:*

Nico Benn appeals the district court's denial of his 28 U.S.C. § 2241 petition which challenged his post-removal-order detention by the Immigration and Naturalization Service (INS). The district court did not err in denying the petition. Gisbert v. United States Attorney General, 988 F.2d 1437, 1440 (5th Cir. 1993), amended by 997 F.2d 1122 (5th Cir. 1993). Benn's post-removal-order detention was authorized under 8 U.S.C.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

§ 1231(a)(1)(C). Benn's incomplete and conflicting statements to the INS hampered the INS's ability to effectuate removal and served to extend the removal period of 8 U.S.C. 1231(a)(1)(A). Balogun v. INS, 9 F.3d 347, 350-51 (5th Cir. 1993). The judgment of the district court is AFFIRMED.