

February 23, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-20154  
Conference Calendar

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EDGAR FERNANDO BLANCO PUERTA,

Petitioner-Appellant,

versus

UNITED STATES DEPARTMENT OF JUSTICE, Office of Attorney  
General; MICHAEL T. SHELBY, United States Attorney  
(Southern District of Texas); NEIL H. ADLER, Federal Bureau  
of Prisons,

Respondents-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:05-CV-36  
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Before GARZA, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:\*

Edgar Fernando Blanco Puerta, federal prisoner #16259-179, appeals the district court's dismissal of his 28 U.S.C. § 2241 petition without prejudice to Puerta's seeking relief via the appropriate procedural vehicle. Although Puerta has briefed the merits of his claims, he has failed to address the procedural issue presented by the district court's dismissal of his petition. Puerta has failed to brief the sole relevant issue for

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

appeal. See Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987). His appeal therefore is dismissed as frivolous. See 5TH CIR. R. 42.2.

APPEAL DISMISSED.