

**FILED**

March 9, 2007

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III  
Clerk

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No. 05-60921

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GREGORIO R. MACHADO,

Petitioner,

versus

ALBERTO R. GONZALES, U.S. Attorney General,

Respondent.

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Petition for Review of an Order of the Board of Immigration Appeals

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Before REAVLEY, DEMOSS and BENAVIDES, Circuit Judges.

PER CURIAM:\*

We reject Petitioner's argument that this case was improperly transferred to this Court under the Real I.D. Act, because his claim is not independent of his order of removal. We consider this case as a petition for review of a removal order which

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Petitioner has previously assailed in his first petition for review filed in this Court.

In 1999 this court dismissed Petitioner's first petition for review because of lack of jurisdiction. One panel cannot overrule another panel of the court. If we were to consider the claim of the manner of removal to give us jurisdiction, we would conclude that this is for Congress and the Executive and not for the courts.

**DISMISSED.**