

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-31246
Conference Calendar

SALVADOR RONDAU HERNANDEZ,

Petitioner-Appellant,

versus

JOHN B.Z. CAPLINGER, Director of
Immigration & Naturalization Service of
New Orleans,

Respondent-Appellee.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 95-CV-1173-K
- - - - -

August 22, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:*

Salvador Rondau Hernandez appeals the district court's denial of his habeas corpus petition challenging his continued detention as an excludable alien. Hernandez argues that his indefinite detention violates the Eighth Amendment and that he should be paroled, deported, or allowed to leave voluntarily. Hernandez has not identified a country which is willing and able

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

to accept him, however. The Attorney General is authorized to detain, indefinitely, excluded aliens who cannot be deported. Gisbert v. U.S. Atty. Gen., 988 F.2d 1437, 1447 (5th Cir. 1993), amended by Gisbert v. U.S. Atty. Gen., 997 F.2d 1122 (5th Cir. 1993).

AFFIRMED.