

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

April 14, 2011

Lyle W. Cayce
Clerk

No. 10-50601
Summary Calendar

GEORGE SAMIR WASSOUF,

Petitioner-Appellant

v.

ROBERT JOILCOEUR, District Director; JANET NAPOLITANO, Secretary of
U.S. Department of Homeland Security; ERIC H. HOLDER, JR., U.S. Attorney
General,

Respondents-Appellees

Appeal from the United States District Court
for the Western District of Texas
USDC No. 3:08-CV-290

Before KING, BENAVIDES, and ELROD, Circuit Judges

PER CURIAM:*

George Samir Wassouf appeals the denial of his motion to reopen the district court's order denying his 28 U.S.C. § 2241 petition and motion for reconsideration.

Wassouf's motion to reopen is construed as a motion under Federal Rule of Civil Procedure 60(b). Wassouf has failed to show the district court abused 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

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discretion in denying the motion or motion for reconsideration. *See Bailey v. Cain*, 609 F.3d 763, 767 (5th Cir. 2010), *cert. denied*, 131 S. Ct. 931 (2011); *see also Midland West Corp. v. FDIC*, 911 F.2d 1141, 1145 (5th Cir. 1990).

The orders of the district court are AFFIRMED. Wassouf's motion for appointment of counsel is DENIED. *See Schwander v. Blackburn*, 750 F.2d 494, 502-03 (5th Cir. 1985).