

United States Court of Appeals
for the Fifth Circuit

No. 26-10107

United States Court of Appeals
Fifth Circuit

FILED

July 30, 2026

Lyle W. Cayce
Clerk

AFEEZ ABIOLA ALAO,

Petitioner—Appellant,

versus

WARDEN FEDERAL MEDICAL CENTER FORT WORTH,

Respondent—Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:25-CV-1023

Before SMITH, SOUTHWICK, and DOUGLAS, *Circuit Judges.*

PER CURIAM:*

Afeez Abiola Alao, federal prisoner # 66534-509, seeks to proceed in forma pauperis (IFP) on appeal from the denial of his 28 U.S.C. § 2241 petition. He contends that he earned time credits pursuant to 18 U.S.C. § 3632(d)(4)(A), but Bureau of Prisons officials refused to apply those credits to reduce his sentence pursuant to § 3632(d)(4)(E)(i) after erroneously determining that he was subject to a final order of removal.

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

No. 26-10107

Contrary to Alao's assertion, an administrative order of removal such as that issued in his case may be final upon issuance. *See Riley v. Bondi*, 606 U.S. 259, 267 (2025); 8 C.F.R. § 235.3(b)(2)(ii), (b)(5). As the district court found, Alao has made no showing that the Expedited Order of Removal was not final. Thus, he has not raised a nonfrivolous issue regarding the denial of his § 2241 petition. *See Jeffers v. Chandler*, 253 F.3d 827, 830 (5th Cir. 2001); *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983).

Alao's IFP motion is DENIED, and the appeal is DISMISSED as frivolous. *See Baugh v. Taylor*, 117 F.3d 197, 202 n.24 (5th Cir. 1997); 5TH CIR. R. 42.2. His motion requesting expedited consideration of his appeal and immediate release is also DENIED.