

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-3320

Jose Rafael Tineo,

Appellant,

v.

Constance C. Reese,

Appellee.

*
*
*
*
*
*
*
*
*

Appeal from the United States
District Court for the
District of Minnesota.
[UNPUBLISHED]

Submitted: March 6, 2002

Filed: March 8, 2002

Before WOLLMAN, FAGG, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Jose Tineo appeals the district court's¹ denial of his 28 U.S.C. § 2241 petition, in which he sought to raise a challenge under Apprendi v. New Jersey, 530 U.S. 466 (2000). For the reasons stated by the district court, the judgment is affirmed. See 8th Cir. R. 47B.

¹The Honorable Ann D. Montgomery, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Susan Richard Nelson, United States Magistrate Judge for the District of Minnesota.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.