
No. 95-4045

Noe Martinez-Raga,
Appellant,

v.

Immigration and Naturalization
Service, District Director,

Appellee.

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* Appeal from the United States
* District Court for the
* District of Nebraska.
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* [UNPUBLISHED]
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Submitted: August 6, 1996

Filed: August 20, 1996

Before BOWMAN, MAGILL, and LOKEN, Circuit Judges.

PER CURIAM.

Noe Martinez-Raga appeals from the district court's¹ order dismissing his 28 U.S.C. § 2241 habeas petition for lack of jurisdiction. After careful review of the record and the parties' briefs, we conclude the judgment of the district court was correct. We do not consider Martinez-Raga's argument that he is eligible for a waiver under 8 U.S.C. § 1182(h), as he has not exhausted his administrative remedies. Accordingly, we affirm. See 8th Cir. R. 47B.

¹The HONORABLE THOMAS M. SHANAHAN, United States District Judge for the District of Nebraska.

A true copy.

Attest:

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