

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

HELENA FUTERYAN-COHEN,
Petitioner-Appellee,

v.

U.S. IMMIGRATION & NATURALIZATION
SERVICE; WARREN A. LEWIS, Deputy
Director; OFFICER BURKE, DD&P
Unit,
Respondents-Appellants.

No. 01-6907

Appeal from the United States District Court
for the Eastern District of Virginia, at Norfolk.
Jerome B. Friedman, District Judge.
(CA-01-171-2)

Submitted: April 18, 2002

Decided: May 15, 2002

Before WIDENER and WILKINS, Circuit Judges, and
HAMILTON, Senior Circuit Judge.

Vacated and remanded by unpublished per curiam opinion.

COUNSEL

Donald E. Keener, John Clifford Cunningham, Office of Immigration
Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Wash-
ington, D.C., for Appellants. Helena Futeryan-Cohen, Appellee Pro
Se.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

OPINION

PER CURIAM:

The Immigration and Naturalization Service (INS) appeals the district court's order granting habeas corpus relief pursuant to 28 U.S.C. § 2241 (1994) to Petitioner Helena Futeryan-Cohen in the form of a stay of deportation. A citizen of Israel, Futeryan-Cohen is subject to a 1995 deportation order.

The INS contends that the district court lacked subject matter jurisdiction over the § 2241 petition pursuant to 8 U.S.C.A. § 1252(g) (West 1999). Upon our review, we find that this contention is correct and that the district court did not have jurisdiction over Futeryan-Cohen's habeas petition. *Id.*; *Mapoy v. Carroll*, 185 F.3d 224, 228-31 (4th Cir. 1999), *cert. denied*, 529 U.S. 1018 (2000); *see Reno v. American-Arab Anti-Discrimination Comm.*, 525 U.S. 471 (1999).

We accordingly vacate the district court's order and remand for further proceedings. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

VACATED AND REMANDED