

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-7734**

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BILLY G. ASEMANI,

Petitioner - Appellant,

v.

ATTORNEY GENERAL OF THE UNITED STATES; SECRETARY OF THE  
DEPARTMENT OF HOMELAND SECURITY,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. Richard D. Bennett, District Judge.  
(1:07-cv-02969-RDB)

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Submitted: August 25, 2008

Decided: September 8, 2008

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Before MOTZ and DUNCAN, Circuit Judges, and WILKINS, Senior Circuit  
Judge.

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Affirmed by unpublished per curiam opinion.

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Billy G. Asemani, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Billy G. Asemani seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2241 (2000) petition. Asemani seeks a declaration that the Attorney General is the proper respondent in his § 2241 proceedings. In the underlying petition, he requested that the Attorney General notify the Maryland State Division of Corrections that Asemani will not be taken into federal custody for removal purposes following completion of his state sentence because he is a United States national. He denies, however, that his § 2241 petition is an effort to seek review of his removal proceedings, and he seeks no relief from Maryland prison officials. Because the relief sought by Asemani is inextricably intertwined with his removal proceedings, and the district court did not have jurisdiction over those proceedings, it properly declined to issue an advisory opinion regarding the proper respondent or Asemani's nationality. Accordingly, we affirm the district court's order. 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.

AFFIRMED