

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS**

**FOR THE FOURTH CIRCUIT**

ANTONIO JOSE FERNANDES MONTEIRO,  
a/k/a Antonio Monteiro,  
Petitioner-Appellant,

v.

No. 99-6952

JANET RENO, United States Attorney  
General,  
Respondent-Appellee.

Appeal from the United States District Court  
for the Eastern District of Virginia, at Alexandria.  
Leonie M. Brinkema, District Judge.  
(CA-99-899-AM)

Submitted: July 20, 2000

Decided: October 10, 2000

Before NIEMEYER, WILLIAMS, and MOTZ, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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**COUNSEL**

Antonio Jose Fernandes Monteiro, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

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## OPINION

### PER CURIAM:

Antonio Monteiro petitions for habeas corpus pursuant to 28 U.S.C. § 2241 (1994). The petition was initially filed in the district court, which administratively transferred the petition to this court. The district court declined to consider the habeas petition on the ground that it lacked jurisdiction under the permanent rules of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104-208, 110 Stat. 3009 ("IIRIRA").

Monteiro is an alien facing deportation based on his conviction of an aggravated felony under § 237(a)(2)(A)(iii) of the Immigration and Nationality Act ("INA"), codified at 8 U.S.C.A. § 1227(a)(2)(A)(iii) (West 1999). Because Monteiro is an alien who was convicted of a deportable criminal offense, the IIRIRA divests this court of subject matter jurisdiction over his case. See 8 U.S.C.A. § 1252(a)(2)(C) (West 1999); Wireko v. Reno, 211 F.3d 833, 2000 WL 543041 (4th Cir. 2000); Lewis v. INS, 194 F.3d 539, 542-43 (4th Cir. 1999); Hall v. INS, 167 F.3d 852, 854-55 (4th Cir. 1999) (applying the IIRIRA's transitional rules).

Accordingly, we dismiss the petition. 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.

DISMISSED