

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Daniel B. Sparr

(B) is deportable by reason of having committed any offense covered
in [8 U.S.C. § 1227(a)(2)(A)(ii)]
(2)) RAISE (WFO) attorney

² Controlling Criminal and Illegal Aliens: Hearings on Criminal Aliens and Border Patrol Funding Before the House Judiciary's Subcommittee on Immigration and Claims, 1999 WL 8086803 (statement of Lamar Smith, Subcommittee Chairman) (1999).

The Government notes

Even where a fundamental right is arguably at stake, the courts have applied the rational basis review

a loophole where none exists by finding that § 1226(c) does not apply to Petitioner because he has not been specifically found to be deportable by an immigration judge.

It is therefore ORDERED that Petitioner's Petition for Writ of Habeas Corpus is Denied.

DATED at Denver, Colorado, this _____ day of May, 2001.

BY THE COURT:

Daniel Sparr
Senior United States District Judge