

FILED \_\_\_\_\_  
RICHARD D. SLETTEN, CLERK  
JUDGMENT ENTD. \_\_\_\_\_  
\_\_\_\_\_

petitioner can be legally removed to Somalia even though there has been no indication



him to his homeland—Somalia. The immigration jud

## **I. Jurisdiction**





For the foregoing reasons, the Court adopts the Magistrate Judge's conclusion that "[§ 1252(g)] does not bar federal courts from entertaining habeas corpus petitions



(i) does not inform the Attorney General or the alien finally,



meaningless); *United States v. Herron*, 97 F.3d 234, 237 (8<sup>th</sup> Cir. 1996) (rejecting interpretation of statute that would render element of the statute repetitive and meaningless); *McNely v. Ocala Star Banner Corp.*, 99 F.3d 1068, 1075 (11<sup>th</sup> Cir. 1996) (courts should avoid interpretations in which a literal interpretation of a statute produces absurd results). In addition, relevant case law interpreting 8 U.S.C. § 1253(a), the statutory predecessor of § 1231(b)(2), supports the Magistrate Judge's statutory construction. *United States ex rel. Tom Man v. Murff*, 246 F.2d 926 (2d Cir. 1959); *Lu v. Rogers*, 164 F. Supp. 320, 321 (D.D.C. 1958); *UWot cK StWot c Tc -0.2Rogers*, 11. meaningless);



Congress expressed its intent clearly in § 1231(b)(2) that acceptance is required by the



