

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 07-3119

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Simbara Hydera,

Appellant,

v.

John Doe, Commissioner of the United States Department of Homeland Security; John Doe, Commissioner of the United States Immigration and Customs Enforcement; Eric H. Holder, Jr.,<sup>1</sup> Attorney General,

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* District of Minnesota.  
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\* [UNPUBLISHED]  
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Submitted: May 7, 2009  
Filed: May 7, 2009

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Before RILEY, SMITH, and BENTON, Circuit Judges.

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PER CURIAM.

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<sup>1</sup>Eric H. Holder, Jr., has been appointed to serve as Attorney General of the United States, and is substituted as appellee pursuant to Federal Rule of Appellate Procedure 43(c).

Simbara Hydera appeals from the district court's<sup>2</sup> denial of his 28 U.S.C. § 2241 petition. Upon careful de novo review, see Abdullah v. Hedrick, 392 F.3d 957, 959 (8th Cir. 2004), we conclude that the district court's decision was proper for the reasons expressed by the district court, see Lema v. INS, 341 F.3d 853, 854-57 (9th Cir. 2003). Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

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<sup>2</sup>The Honorable Patrick J. Schiltz, United States District Judge for the District of Minnesota, adopting in part the report and recommendations of the Honorable Janie S. Mayeron, United States Magistrate Judge for the District of Minnesota.