

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

SAMUEL SOLIS, :  
 :  
 v. : Civil No. 3:02cv1840(AHN)  
 :  
 JOHN ASHCROFT, Attorney :  
 General of the United States.:

ORDER

Upon review and consideration of the petition for a writ of habeas corpus filed by petitioner Samuel Solis and the Government's opposition to the habeas petition and motion to dismiss, the Court dismisses the petition for a writ of habeas corpus for lack of jurisdiction pursuant to 8 U.S.C. § 1252(a)(2)(B)(ii).

Petitioner seeks review of a denial of his motion to reopen which is a discretionary determination. INS v. Doherty, 502 U.S. 314, 315 (1992) ("granting of a motion to reopen is discretionary"). The applicable statute precludes this court from reviewing discretionary decisions of the Attorney General. See 8 U.S.C. § 1252(a)(2)(B)(ii) (no court shall have jurisdiction to review a discretionary determination of the Attorney General); see also Sol v. INS, 274 F.3d 648, 651 (2002) ("federal jurisdiction over § 2241 petitions does not extend to review of discretionary determinations by the IJ and the BIA"). Accordingly, the petition for a writ of habeas corpus is DENIED and DISMISSED and the Government's motion to dismiss is GRANTED.

SO ORDERED this            day of November, 2002 at  
Bridgeport, Connecticut.

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Alan H. Nevas  
United States District Judge