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ELECTRONICALLY FILED
DOC #:
DATE FILED: 4-18-07

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GARCIA-GARCIA, DOMINGO ANTONIO
File No. A# 46-054-872

Petitioner/Plaintiff,

v.

MICHAEL CHERTOFF, Secretary,
Department of Homeland Security;
MICHAEL J. GARCIA, Assistant Secretary
(designee), United States Immigration and
Customs Enforcement; MARY ANN
GANTNER, Interim District Director of
District Counsel, USCIS,

Respondents/Defendants.
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ORDER

07 Civ 2951(LBS)

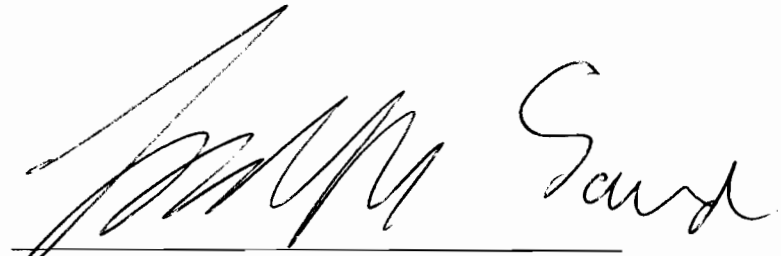
SAND, J.

Petitioner/plaintiff Domingo Antonio Garcia erroneously filed a petition for review of a final order of removal by the Board of Immigration Appeals (BIA) with this Court on April 13, 2007. Pursuant to the REAL ID Act of 2005, Pub. L. No. 109-13, § 106, 119 Stat. 231 (codified at 8 U.S.C. § 1252(a)(5)), the “sole and exclusive” means for challenging an order of removal is a “petition for review filed with an appropriate court of appeals.” This Court lacks jurisdiction to entertain such a petition filed after May 11, 2005, the enactment date of the REAL ID Act. In re Lawrence, 448 F. Supp. 2d 572, 574 (S.D.N.Y. 2006).

Accordingly, the petition for review is dismissed and the Clerk of the Court is directed to close the case.

SO ORDERED.

Dated: New York, NY
April 19, 2007



U.S.D.J.