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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 95-5226

KEVIN FOWLER,

Appellant
v.

UNITED STATES PAROLE COMMISSION,

Appellee.

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
(D.C. Civ. No. 95-cv-00754)
District Judge: Honorable Clarkson S. Fisher

Argued: February 8, 1996
Before: BECKER, ROTH and McKEE, Circuit Judges
(Filed September 4, 1996)

ORDER AMENDING OPINION FILED SEPTEMBER 4, 1996

Upon reviewing the submission of counsel for appellee, United States Parole Commission, it is hereby ordered that the opinion filed in this case on September 4, 1996, be amended as follows:

1. The first sentence of the opinion on page 2 which reads "Defendant-appellant Kevin Fowler appeals from an order of the United States District Court for the District of New Jersey denying his petition for habeas corpus relief under 28 U.S.C. § 2255." is to be deleted and replaced with the following: "Defendant-appellant Kevin Fowler appeals from an order of the United States District Court for the District of New Jersey denying his petition for habeas corpus relief under 28 U.S.C. § 2241.";

2. The first sentence of the last paragraph of page 3 of the

opinion which reads "We have jurisdiction pursuant to 28 U.S.C. §§ 2255 and 1291." is to be deleted and replaced with the following: "We have jurisdiction pursuant to 28 U.S.C. §§ 2241 and 1291."

IT IS SO ORDERED.

By the Court:

/s/ Theodore A. McKee
McKee, Circuit Judge

DATED: September 17, 1996