

JUL 14 2010

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

ISAIAS ZESATI RUIZ,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 06-70955

Agency No. A092-050-099

ORDER

Before: ALARCÓN, LEAVY, and GRABER, Circuit Judges.

Zesati Ruiz's habeas petition was filed in district court on September 13, 2005. The petition was therefore improperly transferred to this court because it was not pending on May 11, 2005, the enactment date of the REAL ID Act. *See* Pub. L. No. 109-13, 119 Stat. 231, 311, § 106(c); *see also Alvarez-Barajas v. Gonzales*, 418 F.3d 1050, 1052 (9th Cir. 2005).

**REMANDED to the district court.**