

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS**

**FOR THE FOURTH CIRCUIT**

LUIS FERNANDO MURGA-ZABALA,  
Petitioner.

v.

No. 00-1091

JANET RENO; U.S. IMMIGRATION &  
NATURALIZATION SERVICE,  
Respondents.

On Petition for Review of an Order of the  
Board of Immigration Appeals.  
(A37-222-892)

Submitted: May 19, 2000

Decided: June 13, 2000

Before WILKINS, LUTTIG, and TRAXLER,  
Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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**COUNSEL**

John T. Riely, Ashton, Maryland, for Petitioner. David W. Ogden,  
Acting Assistant Attorney General, Emily Anne Radford, Assistant  
Director, Earle B. Wilson, Trial Attorney, Office of Immigration Liti-  
gation, Civil Division, UNITED STATES DEPARTMENT OF JUS-  
TICE, Washington, D.C., for Respondents.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

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## **OPINION**

### **PER CURIAM:**

Luis Fernando Murga-Zabala petitions for review of a final order of deportation issued by the Board of Immigration Appeals. Murga-Zabala is a resident alien facing deportation based on his conviction of an aggravated felony involving a controlled substance under § 237(a)(2)(A)(iii) & (B)(i) of the Immigration and Nationality Act, codified at 8 U.S.C.A. § 1227(a)(2)(A)(iii) & (B)(i) (West 1999). Because Murga-Zabala is an alien who was convicted of a deportable criminal offense, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104-208, 110 Stat. 3009 ("IIRIRA"), divests this court of subject matter jurisdiction over his case. See 8 U.S.C.A. § 1252(a)(2)(C) (West 1999); Lewis v. INS, 194 F.3d 539, 542-43 (4th Cir. 1999); Hall v. INS, 167 F.3d 852, 854 (4th Cir. 1999) (applying the IIRIRA's transitional rules).

Accordingly, we dismiss the petition. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

**DISMISSED**