

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-1434

VIOLET MMBONE ASHIHUNDU,

Petitioner,

versus

U.S. IMMIGRATION & NATURALIZATION SERVICE;
JOHN ASHCROFT, Attorney General,

Respondents.

On Petition for Review of an Order of the Board of Immigration Appeals. (A-70-671-700)

Submitted: August 17, 2001

Decided: September 11, 2001

Before MOTZ, TRAXLER, and GREGORY, Circuit Judges.

Petition denied by unpublished per curiam opinion.

David L. Cleveland, CATHOLIC CHARITIES IMMIGRATION, Washington, D.C., for Petitioner. Stuart E. Schiffer, Acting Assistant Attorney General, Linda S. Wendtland, Assistant Director, Robbin K. Blaya, Office of Immigration Litigation, Civil Division, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondents.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Violet Mmbone Ashihundu, a native and citizen of Kenya, seeks review of an opinion and order of the Board of Immigration Appeals (Board) dismissing her appeal and affirming the decision of the immigration judge (IJ) denying a motion to reopen her deportation proceedings. The IJ ordered Ashihundu deported in absentia after she failed to appear for her deportation hearing. We review the order of the Board pursuant to 8 U.S.C.A. § 1229a(b)(5)(D); § 1252(b)(6)(West 1999). Our review of the record discloses that the IJ and the Board applied the correct standard in assessing Ashihundu's case, and the decision to deny the motion to reopen was not an abuse of discretion. Other arguments Ashihundu raises before the court are without merit. Accordingly, we deny the petition for review. 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.

PETITION DENIED