

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-2005

DESMOND ALVIN DOHERTY,

Petitioner,

versus

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

Respondents.

On Petition for Review of an Order of the Board of Immigration Appeals. (A72-376-707)

Submitted: January 17, 2002

Decided: March 11, 2002

Before WILKINS, WILLIAMS, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Yurika Saito Cooper, Arlington, Virginia, for Petitioner. Robert D. McCallum, Jr., Assistant Attorney General, Christine A. Bither, Senior Litigation Counsel, Paul D. Kovac, 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Unpublished opinions are not binding precedent in this circuit.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:

Desmond Doherty, a native and citizen of Sierra Leone, appeals from the decision and order of the Board of Immigration Appeals (Board) denying his application for suspension of deportation. We have reviewed the record and find the Board correctly determined that Doherty did not meet the continuous presence requirement for suspension of deportation because he failed to accrue seven years of continuous physical presence prior to the initiation of deportation proceedings against him. See Appiah v. INS, 202 F.3d 704 (4th Cir.), cert. denied, 531 U.S. 857 (2000).

For this reason, we deny Doherty's petition for review and affirm the decision of the Board. 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.

AFFIRMED