

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-2002

MICHAEL TSIGE,

Petitioner,

versus

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

Respondents.

On Petition for Review of an Order of the Board of Immigration Appeals. (A72-377-318)

Submitted: March 18, 2003

Decided: May 5, 2003

Before NIEMEYER, MICHAEL, and KING, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Rev. Uduak J. Ubom, UBOM, WHITE, & ROBERTS, Washington, D.C., for Petitioner. Robert D. McCallum, Jr., Assistant Attorney General, Anh-Thu Mai, Mary Jane Candaux, 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Unpublished opinions are not binding precedent in this circuit.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:

Michael Tsige, a native and citizen of Ethiopia, seeks review of the decision of the Board of Immigration Appeals ("Board") denying his application for asylum and withholding of deportation. We have reviewed the administrative record, the Board's order and the IJ's decision and find substantial evidence supports the Board's conclusion that Tsige failed to establish a well-founded fear of persecution necessary to qualify for relief from deportation. See 8 C.F.R. § 208.13(b) (2002). We conclude the record supports the Board's conclusion that Tsige failed to establish his eligibility for asylum.

The standard for receiving withholding of deportation is "more stringent than that for asylum eligibility." Chen v. INS, 195 F.3d 198, 205 (4th Cir. 1999). An applicant for withholding must demonstrate a clear probability of persecution. INS v. Cardoza-Fonseca, 480 U.S. 421, 430 (1987). As Tsige has failed to establish refugee status, he cannot satisfy the higher standard for withholding of deportation.

We accordingly deny the petition for review. We deny the motion to file an addendum with additional documents. We dispense with oral argument because the facts and legal arguments are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED