

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-2390

ASIF BARYALAI,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A77-246-624)

Submitted: August 26, 2003

Decided: November 17, 2003

Before NIEMEYER, MOTZ, and TRAXLER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Michel M. Hadeed, Jr., BECKER, HADEED, KELLOGG & BERRY, P.C., Springfield, Virginia, for Petitioner. Robert D. McCallum, Jr., Assistant Attorney General, John C. Cunningham, Senior Litigation Counsel, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Asif Baryalai, a native and citizen of Afghanistan, petitions for review of an order of the Board of Immigration Appeals ("Board"). The order affirmed, without opinion, the immigration judge's order denying Baryalai's applications for asylum, withholding of removal, and protection under the Convention Against Torture.

The decision to grant or deny asylum relief is conclusive "unless manifestly contrary to the law and an abuse of discretion." 8 U.S.C. § 1252(b)(4)(D) (2000). We conclude that the record supports the immigration judge's conclusion that Baryalai failed to establish his eligibility for asylum. See 8 C.F.R. § 208.13(a) (2003); Gonahasa v. INS, 181 F.3d 538, 541 (4th Cir. 1999). As the decision in this case is not manifestly contrary to law, we cannot grant the relief that Baryalai seeks.

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