

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

SOLOMON MOGES-HAILE,

Petitioner,

v.

JOHN D. ASHCROFT, U.S. Attorney
General,

Respondent.

No. 02-2455

On Petition for Review of an Order
of the Board of Immigration Appeals.
(A78-151-842)

Submitted: July 24, 2003

Decided: August 18, 2003

Before WIDENER, MICHAEL, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

COUNSEL

David Goren, LAW OFFICE OF DAVID GOREN, Silver Spring, Maryland, for Petitioner. Robert D. McCallum, Jr., Assistant Attorney General, Allen W. Hausman, Senior Litigation Counsel, Deborah N. Misir, Office of Immigration Litigation, Civil Division, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Solomon Moges-Haile, a native of what is now Eritrea and a citizen of Ethiopia, petitions for review of an order of the Board of Immigration Appeals ("Board"). The order affirmed, without opinion, the immigration judge's decision and order denying Moges-Haile's applications for asylum, withholding of removal and withholding of removal under the United Nations Convention Against Torture. For the reasons discussed below, we deny the petition for review.

Moges-Haile claims the immigration judge erred in finding that he failed to present credible evidence in support of his asylum application. We have reviewed the administrative record and the immigration judge's decision, which was designated by the Board as the final agency determination, and find that substantial evidence supports the immigration judge's conclusion that Moges-Haile was not credible. As such, Moges-Haile failed to establish past persecution or a well-founded fear of future persecution as necessary to qualify for relief from removal. 8 C.F.R. § 1208.13(b) (2003).

Next, Moges-Haile claims his due process rights were violated because the Board affirmed the decision of the immigration judge without opinion, after review by a single Board member, in accordance with the procedure set out in 8 C.F.R. § 1003.1(a)(7) (2003). We have reviewed Moges-Haile's challenges to the Board's use of this streamlined procedure and find them to be without merit. *See Georgis v. Ashcroft*, 328 F.3d 962 (7th Cir. 2003); *Mendoza v. United States Attorney Gen.*, 327 F.3d 1283, 1288-89 (11th Cir. 2003); *Soadjede v. Ashcroft*, 324 F.3d 830, 832-33 (5th Cir. 2003); *Gonzalez-Oropeza v. United States Attorney Gen.*, 321 F.3d 1331, 1333-34 (11th Cir. 2003); *Albathani v. INS*, 318 F.3d 365, 375-79 (1st Cir. 2003). We further find summary affirmance was appropriate in this case under the factors set forth in USSG § 1003.1(a)(7).

Accordingly, we deny Moges-Haile's 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