

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-1082

FIDELIS ATABONG NKONG,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A27-862-592)

Submitted: July 31, 2003

Decided: August 28, 2003

Before WIDENER, WILKINSON, and LUTTIG, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Danielle L.C. Beach-Oswald, NOTO & OSWALD, P.C., Washington, D.C., for Petitioner. Robert D. McCallum, Jr., Assistant Attorney General, Michael P. Lindemann, Assistant Director, Douglas E. Ginsburg, 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Unpublished opinions are not binding precedent in this circuit.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:

Fidelis Atabong Nkong, a native and citizen of Cameroon, petitions for review of an order of the Board of Immigration Appeals ("Board") affirming, without opinion, the immigration judge's denial of his waiver application pursuant to 8 U.S.C. § 1186a(c)(4) (2000). This section provides that the Attorney General, in his discretion, may remove the conditional basis placed upon an alien's permanent resident status (and waive the requirement that the alien and his citizen spouse jointly file a petition for removal of the conditional basis) upon a showing that the alien's marriage was entered into in good faith. Because we find that the immigration judge did not abuse his discretion in finding that Nkong did not enter into his marriage in good faith, we deny the petition for review. See Nyonzele v. INS, 83 F.3d 975, 979 (8th Cir. 1996); Matter of Laureano, 19 I. & N. Dec. 1, 2-3 (BIA 1983). 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