

UNPUBLISHED

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

BHUPINDER SINGH; CHAMPA SAINI,
Petitioners,

v.

JOHN ASHCROFT, U.S. Attorney
General,

Respondent.

No. 03-1127

On Petition for Review of an Order of the
Board of Immigration Appeals.
(A75-314-534, A75-842-912)

Submitted: June 19, 2003

Decided: July 10, 2003

Before NIEMEYER and MICHAEL, Circuit Judges,
and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

COUNSEL

Bhupinder Singh, Champa Saini, Petitioners Pro Se. James Arthur Hunolt, Michele Yvette Francis Sarko, Papu Sandhu, 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Unpublished opinions are not binding precedent in this circuit.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).

OPINION

PER CURIAM:

Bhupinder Singh,* a native and citizen of India, seeks review of a decision of the Board of Immigration Appeals affirming without opinion the Immigration Judge's (IJ) denial of his applications for asylum and withholding of removal. First, we reject Singh's claim that this case does not satisfy the criteria for use of the Board's summary affirmative procedure. *See* 8 C.F.R. § 1003.1(a)(7)(ii) (2003).

Next, we reject Singh's contention that he qualified for asylum and withholding of removal. Singh does not qualify for relief because the IJ made a negative credibility determination that is amply supported by the record and is entitled to deference. 8 U.S.C. § 1252(b)(4) (2000); *see Rusu v. INS*, 296 F.3d 316, 323 (4th Cir. 2002); *Matter of S-A-*, Int. Dec. 3433 (BIA 2000); *Matter of A-S-*, 21 I. & N. Dec. 1106 (BIA 1998).

We also find Singh's assertion that the IJ erred in finding his asylum application frivolous to be meritless. *See* 8 U.S.C. § 1158(d)(6) (2000). Finally, we reject Singh's assertion that the IJ did not discuss the status of his labor certification and application for adjustment of status. *See* A.R. 37 n.2; 8 U.S.C. § 1255(a)(3) (2000).

We accordingly 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

*Petitioner Champa Saini is Singh's wife and her claim is dependent on his pursuant to 8 U.S.C. § 1158(b)(3) (2000).