

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-1167**

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SAMSON HAILU,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

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On Petition for Review of an Order of the Board of Immigration Appeals (A77-894-880)

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Submitted: November 19, 2003

Decided: January 13, 2004

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Before WILLIAMS, TRAXLER, and SHEDD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Rev. Uduak J. Ubom, UBOM, WHITE & ROBERTS, Washington, D.C., for Petitioner. Peter D. Keisler, Assistant Attorney General, Ernesto H. Molina, Jr., Senior Attorney, Colette J. Winston, OFFICE OF IMMIGRATION LITIGATION, Washington, D.C., for Respondent.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Samson Hailu, a native and citizen of Ethiopia, petitions for review of a final order of the Board of Immigration Appeals (Board) affirming the Immigration Judge's (IJ) decision without opinion and denying relief from removal.

Hailu challenges the IJ's finding that his asylum application was untimely. See 8 U.S.C. § 1158(a)(2)(B), (D) (2000); 8 C.F.R. § 1208.4(a)(4) (2003). We conclude that we lack jurisdiction to review this claim pursuant to 8 U.S.C. § 1158(a)(3) (2000). Hailu next disputes the IJ's finding that Hailu failed to qualify for the relief of cancellation of removal because he did not establish that his removal would result in exceptional and extremely unusual hardship to his mother, who is a lawful permanent resident of the United States. See 8 U.S.C. § 1229b(b)(1)(D) (2000). Again, we find that we are without jurisdiction to review this discretionary decision. See 8 U.S.C. § 1252(a)(2)(B)(i) (2000).

We accordingly dismiss 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.

DISMISSED