

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

<p>WASSAMA NGONGO, <i>Petitioner,</i></p> <p style="text-align:center">v.</p> <p>JOHN ASHCROFT, Attorney General, <i>Respondent.</i></p>	}	No. 03-1169
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On Petition for Review of an Order of the
Board of Immigration Appeals.
(A76-596-106)

Submitted: July 24, 2003

Decided: August 26, 2003

Before MICHAEL, MOTZ, and GREGORY, Circuit Judges.

Petition denied by unpublished per curiam opinion.

COUNSEL

Randall L. Johnson, JOHNSON & ASSOCIATES, Arlington, Virginia, for Petitioner. Robert D. McCallum, Jr., Assistant Attorney General, Civil Division, Richard M. Evans, Assistant Director, Susan K. Houser, 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Unpublished opinions are not binding precedent in this circuit.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:

Wassama Ngongo, a native and citizen of the Democratic Republic of Congo (formerly Zaire), 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 Ngongo'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.

Ngongo first claims the immigration judge erred in finding she failed to present credible evidence in support of her 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 Ngongo was not credible. As such, Ngongo 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, Ngongo claims the Board's summary affirmance procedure should not have been used in her appeal. 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 Ngongo'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 that summary affirmance was appropriate in this case under the factors set forth in § 1003.1(a)(7).

Accordingly, we deny Ngongo'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