

UNPUBLISHED

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

GBOGOU GBOUKROU; DELPHINE  
OLLOCHI ACHI,

*Petitioners,*

v.

JOHN ASHCROFT, Attorney General of  
the United States,

*Respondent.*

No. 03-1300

On Petition for Review of an Order of the  
Board of Immigration Appeals.  
(A72-191-830, A75-970-982)

Submitted: September 23, 2003

Decided: October 15, 2003

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

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Petition denied by unpublished per curiam opinion.

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**COUNSEL**

Linda Hanten, HARRIGAN & HANTEN, P.C., Washington, D.C.,  
for Petitioners. Peter D. Keisler, Assistant Attorney General, Thomas  
M. Bondy, Mark S. Davies, Appellate Staff, Civil Division, UNITED  
STATES DEPARTMENT OF JUSTICE, Washington, D.C., for  
Respondent.

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Unpublished opinions are not binding precedent in this circuit.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

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### OPINION

PER CURIAM:

Gbogou Gboukrou and Delphine Ollochi Achi,<sup>1</sup> natives and citizens of the Ivory Coast, petition for review of an order of the Board of Immigration Appeals (Board) affirming without opinion the Immigration Judge's (IJ) denial of relief from deportation. As discussed below, we deny the petition for review.

Petitioners first contend that the IJ erred in finding that Gboukrou failed to qualify for withholding of deportation. We have reviewed the record and the IJ's decision, which was designated by the Board as the final agency determination, and find that substantial evidence supports the IJ's conclusion that Petitioners did not qualify for this relief based on Gboukrou's claim. *See* 8 U.S.C. § 1105a(a)(4) (1994);<sup>2</sup> 8 C.F.R. § 1208.16(b)(1)(A) (2003); *Gonahasa v. INS*, 181 F.3d 538, 542 (4th Cir. 1999); *INS v. Stevic*, 467 U.S. 407, 429-30 (1984).

Petitioners next ask that this case be remanded for the taking of new evidence on country conditions in the Ivory Coast. We find that we are barred by the transitional rules applicable here from effecting such a remand. *See* IIRIRA § 309(c)(4)(B). Finally, we reject Petitioners' challenges to the Board's decision to affirm the decision of the IJ without opinion under 8 C.F.R. § 1003.1(a)(7) (2003).

We accordingly deny the petition for review. We dispense with

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<sup>1</sup>Achi is Gboukrou's spouse and seeks relief based on his claim.

<sup>2</sup>We note that 8 U.S.C. § 1105a(a)(4) was repealed by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Pub. L. No. 104-128, 110 Stat. 3009, effective April 1, 1997. Because this case was in transition at the time the IIRIRA was passed, § 1105a(a)(4) is applicable here under the terms of the transitional rules contained in § 309(c) of the IIRIRA.

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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*