

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-1640

FANAYE WOUNDNEH,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A72-798-217)

Submitted: April 21, 2004

Decided: June 7, 2004

Before LUTTIG, KING, and GREGORY, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Genet Getachew, Brooklyn, New York, for Petitioner. Peter D. Keisler, Assistant Attorney General, Richard M. Evans, Assistant Director, Thomas B. Fatouros, OFFICE OF IMMIGRATION LITIGATION, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Fanaye Woudneh, a native and citizen of Ethiopia, petitions for review of a final order of the Board of Immigration Appeals (Board) denying her motion to reopen deportation proceedings based on a claim for protection under the United Nations Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.

Woudneh contends that the Board abused its discretion in declining to reopen her case to allow her to present her CAT claim. See Stewart v. INS, 181 F.3d 587, 595 (4th Cir. 1999). We have reviewed the administrative record and the Board's decision and find no abuse of discretion in its refusal to grant the motion to reopen. See 8 C.F.R. § 1003.2(c)(1) (2003); INS v. Abudu, 485 U.S. 94, 104-05 (1988).

Accordingly, we 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