

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-1889**

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SENAIT ESHETE,

Petitioner,

versus

JOHN D. ASHCROFT, Attorney General,

Respondent.

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On Petition for Review of an Order of the Board of Immigration Appeals. (A79-474-987)

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Submitted: April 21, 2004

Decided: May 21, 2004

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Before WIDENER, MICHAEL, and KING, Circuit Judges.

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Petition dismissed by unpublished per curiam opinion.

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Rev. Uduak J. Ubom, Washington, D.C., for Petitioner. Peter D. Keisler, Assistant Attorney General, Terri J. Scadron, Assistant Director, Efthimia S. Pilitsis, 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Unpublished opinions are not binding precedent in this circuit.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:

Senait Eshete, a native and citizen of Ethiopia, petitions for review of an order of the Board of Immigration Appeals (Board) affirming without opinion the Immigration Judge's (IJ) denial of her applications for asylum, withholding of removal, and protection under the Convention Against Torture.

Eshete first challenges the IJ's finding that her asylum application is untimely. See 8 U.S.C. § 1158(a)(2)(B), (D) (2000); 8 C.F.R. § 1208.4(a) (2003). We conclude that we lack jurisdiction to review this claim pursuant to 8 U.S.C. § 1158(a)(3) (2000). Eshete next disputes the IJ's finding that she failed to qualify for withholding of removal. We have reviewed the administrative record and conclude that Eshete failed to properly exhaust this claim when she appealed to the Board from the IJ's denial of relief. See 8 U.S.C. § 1252(d)(1) (2000); Farrokhi v. INS, 900 F.2d 697, 700 (4th Cir. 1990).

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.

PETITION DISMISSED