

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1233

SEKOUBA FATY,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A70-504-622)

Submitted: September 8, 2004 Decided: September 23, 2004

Before MICHAEL, MOTZ, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Randall L. Johnson, JOHNSON & ASSOCIATES, P.C., Arlington, Virginia, for Petitioner. Peter D. Keisler, Assistant Attorney General, Linda S. Wendtland, Assistant Director, Elizabeth J. Stevens, 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Unpublished opinions are not binding precedent in this circuit.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:

Sekouba Faty, a native and citizen of Mali, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reopen immigration proceedings. We have reviewed the record and the Board's order and find that the Board did not abuse its discretion in denying Faty's motion to reopen. See 8 C.F.R. § 1003.2(a) (2004); INS v. Doherty, 502 U.S. 314, 323-24 (1992). As found by the Board, the new documents submitted by Faty fail to resolve the credibility problems that were present at his immigration hearing and fail to establish his eligibility for asylum, withholding of removal, or protection under the Convention Against Torture. 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