

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-1412**

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FRANCIS FORPA,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

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On Petition for Review of an Order of the Board of Immigration Appeals. (A95-264-590)

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Submitted: December 13, 2004

Decided: January 7, 2005

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Before MICHAEL, GREGORY, and DUNCAN, Circuit Judges.

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Petition denied; vacated in part by unpublished per curiam opinion.

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David K. Wenger, WENGER & DADISMAN, P.C., Detroit, Michigan, for Petitioner. Peter D. Keisler, Assistant Attorney General, Douglas E. Ginsburg, Senior Litigation Counsel, John D. Williams, Office of Immigration Litigation, 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Unpublished opinions are not binding precedent in this circuit.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).

PER CURIAM

Francis Forpa, a native and citizen of Cameroon, seeks review of a decision of the Board of Immigration Appeals affirming without opinion the Immigration Judge's (IJ) denial of his application for asylum.

We reject Forpa's contention that he qualified for asylum. Forpa does not qualify for relief because the IJ made a negative credibility determination that is amply supported by the record and is entitled to deference. 8 U.S.C. § 1252(b)(4) (2000); see Camara v. Ashcroft, 378 F.3d 361, 367 (4th Cir. 2004); Rusu v. INS, 296 F.3d 316, 323 (4th Cir. 2002). We conclude, however, that the record does not support the conclusion that Forpa knowingly filed a frivolous application. See 8 U.S.C. § 1158(d)(6) (2000); 8 C.F.R. § 208.20 (2004).

Accordingly, although we deny the petition for review, we vacate the Board's decision insofar as it finds Forpa's application frivolous. 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;  
VACATED IN PART