

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1432

ULISSES M. BASTOS,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A28-326-230)

Submitted: October 20, 2004

Decided: November 4, 2004

Before WILLIAMS and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Antonio M. Zaldana, LAW OFFICE OF ANTONIO M. ZALDANA, Los Angeles, California, for Petitioner. Peter D. Keisler, Assistant Attorney General, James A. Hunolt, Senior Litigation Counsel, Sarah Maloney, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Ulisses M. Bastos, a native and citizen of Brazil, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reopen and dismissing his appeal of the immigration judge's denial of his motions to reopen and reconsider. We have reviewed the administrative record and the Board's order and find that the Board did not abuse its discretion. See INS v. Doherty, 502 U.S. 314, 323-24 (1992). Additionally, we conclude that Bastos's due process claim is without merit. See Blanco de Belbruno v. Ashcroft, 362 F.3d 272, 278 (4th Cir. 2004); Rusu v. INS, 296 F.3d 316, 321-22 (4th Cir. 2002).

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