

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-1251

FARRIED JASSIEM,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A73-609-616)

Submitted: February 17, 2006

Decided: March 15, 2006

Before WILLIAMS, MICHAEL, and MOTZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Farried Jassiem, Petitioner Pro Se. James A. Hunolt, M. Jocelyn Lopez Wright, Song Park, Office of Immigration Litigation, Civil Division, 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Unpublished opinions are not binding precedent in this circuit.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:

Farried Jassiem, a native and citizen of Iraq, petitions for review of the decision of the Board of Immigration Appeals (Board) denying his application for adjustment of status under 8 U.S.C.A. § 1255 (West 1999 & Supp. 2005). Under 8 U.S.C.A. § 1252(a)(2)(B)(i) (West Supp. II 2005), this court lacks jurisdiction to review the Board's discretionary decision to deny adjustment of status. A narrow exception to this jurisdictional bar exists when the petitioner raises constitutional claims or questions of law. 8 U.S.C.A. § 1252(a)(2)(D) (West Supp. II 2005); see Hiquit v. Gonzales, 433 F.3d 417, 419 (4th Cir. 2006) (finding no jurisdiction where Hiquit raised no constitutional claims or questions of law). Here, as Jassiem challenges only factual issues and the Board's exercise of discretion, we conclude that we lack jurisdiction under § 1252(a)(2)(B)(i).

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