

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-1309

PETER TIMOTHY CHU-A-KONG,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General of the
United States,

Respondent.

On Petition for Review of an Order of the Board of Immigration
Appeals. (A72-361-954)

Submitted: October 31, 2005

Decided: November 21, 2005

Before TRAXLER, SHEDD, and DUNCAN, Circuit Judges.

Petition dismissed by unpublished per curiam opinion.

Michael G. Moore, Springfield, Massachusetts, for Petitioner.
Paul J. McNulty, United States Attorney, Anita K. Henry, Assistant
United States Attorney, Norfolk, Virginia, for Respondent.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Peter Timothy Chu-A-Kong, a native and citizen of Guyana, petitions for review of an order of the Board of Immigration appeals affirming without opinion the Immigration Judge's (IJ) decision finding Chu-A-Kong removable and granting him voluntary departure. Chu-A-Kong disputes the finding of removability, and asserts that he is eligible for relief from removal pursuant to 8 U.S.C.A. § 1182(h) (West 1999 & Supp. 2005). As Chu-A-Kong conceded removability as charged before the IJ and failed to apply before the IJ for relief under § 1182(h), we find that he has failed to exhaust all administrative remedies. 8 U.S.C. § 1252(d)(1) (2000); see Asika v. Ashcroft, 362 F.3d 264 (4th Cir. 2004), cert. denied, 125 S. Ct. 861 (2005).

We therefore conclude that we are without jurisdiction to consider Chu-A-Kong's claims. Accordingly, we 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