

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-1542**

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ULISSES M. BASTOS,

Petitioner,

versus

ALBERTO R. GONZALES,

Respondent.

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

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Submitted: January 25, 2006

Decided: February 13, 2006

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

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Petition denied by unpublished per curiam opinion.

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Antonio M. Zalana, LAW OFFICE OF ANTONIO M. ZALANA, Los Angeles, California, for Petitioner. Peter D. Keisler, Assistant Attorney General, Jeffrey J. Bernstein, Senior Litigation Counsel, John E. Cunningham, III, 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Unpublished opinions are not binding precedent in this circuit.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:

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 remand to the immigration judge to apply for asylum based upon changed circumstances. 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). 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