

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-1790**

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JOHN S. BADOH,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

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On Petition for Review of an Order of the Board of Immigration Appeals. (A95-546-815)

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Submitted: March 27, 2006

Decided: April 19, 2006

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Before MICHAEL and TRAXLER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Sopo Ngwa, Silver Spring, Maryland, for Petitioner. Rod J. Rosenstein, United States Attorney, John W. Sippel, Jr., Assistant United States Attorney, Baltimore, Maryland, for Respondent.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John S. Badoh, a native and citizen of Cameroon, petitions for review of an order of the Board of Immigration Appeals (Board) adopting and affirming the Immigration Judge's (IJ) order denying his applications for asylum, withholding of removal, and protection under the Convention Against Torture. Badoh contends that his asylum application was timely filed and that he established eligibility for that relief. As the IJ and Board concluded that the asylum application was untimely, we find that consideration of these claims is barred. See 8 U.S.C. § 1158(a)(3) (2000).

Badoh also challenges the finding that he failed to qualify for withholding of removal. "To qualify for withholding of removal, a petitioner must show that he faces a clear probability of persecution because of his race, religion, nationality, membership in a particular social group, or political opinion." Rusu v. INS, 296 F.3d 316, 324 n.13 (4th Cir. 2002) (citing INS v. Stevic, 467 U.S. 407, 430 (1984)). Having conducted our review, we conclude that substantial evidence supports the finding that Badoh did not establish eligibility for withholding of removal.

We accordingly 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