

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1687

FRANCIS YOMI TCHAKOUNTE,

Petitioner,

versus

MICHAEL B. MUKASEY, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A78-692-621)

Submitted: October 31, 2007

Decided: November 27, 2007

Before MOTZ and SHEDD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Robert L. Oswald, BEACH-OSWALD IMMIGRATION LAW ASSOCIATES, PC, Washington, D.C., for Petitioner. Peter D. Keisler, Assistant Attorney General, Aviva L. Poczter, Senior Litigation Counsel, Patrick J. Glen, Trial Attorney, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Francis Yomi Tchakounte, a native and citizen of Cameroon, seeks review of an order of the Board of Immigration Appeals adopting and affirming the Immigration Judge's decision to deny relief from removal. Tchakounte asserts that his right to due process was violated because a pretrial hearing before the Immigration Judge was not recorded or its contents otherwise made part of the record. We have independently reviewed the record with respect to this claim and find that Tchakounte has failed to demonstrate that he was prejudiced by the failure to record the hearing. See Rusu v. INS, 296 F.3d 316, 320 (4th Cir. 2002); 8 C.F.R. § 1240.9 (2007). Next, we find no abuse of discretion in the Immigration Judge's denial of a continuance for adjudication of Tchakounte's second I-130 petition. See Onyeme v. INS, 146 F.3d 227, 231-33 (4th Cir. 1998).

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