

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1193

FATOU JOBE,

Petitioner,

versus

PETER D. KEISLER, Acting Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A72-166-791)

Submitted: September 14, 2007 Decided: September 27, 2007

Before MICHAEL, SHEDD, and DUNCAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Edwin K. Fogam, Silver Spring, Maryland, for Petitioner. Peter D. Keisler, Assistant Attorney General, Michelle Gorden Latour, Assistant Director, Jeffrey J. Bernstein, Senior Litigation Counsel, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Fatou Jobe, a native and citizen of The Gambia, petitions for review of an order of the Board of Immigration Appeals ("Board") adopting and affirming the immigration judge's finding that she was not eligible for cancellation of removal because she failed to show continuous ten year presence in the United States. We deny the petition for review.

The Attorney General may cancel removal of an alien who is deportable from the United States if the alien: (1) has been physically present in the United States for a continuous period of not less than 10 years immediately preceding the date of such application; (2) has been a person of good moral character during such period; (3) has not been convicted of certain enumerated offenses; and (4) establishes that removal would result in exceptional and extremely unusual hardship to the alien's spouse, parent, or child, who is a citizen of the United States or an alien lawfully admitted for permanent residence. 8 U.S.C. § 1229b(b)(1) (2000). The applicant bears the burden of showing eligibility for cancellation of removal. Tapia v. Gonzales, 430 F.3d 997, 997-98 (9th Cir. 2005). Under 8 U.S.C.A. § 1252(b)(4)(B) (West 2005), "the administrative findings of fact are conclusive unless any reasonable adjudicator would be compelled to conclude to the contrary." We find the evidence does not compel a different result.

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