

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1298

SAEED AHMED,

Petitioner,

versus

MICHAEL B. MUKASEY, United States Attorney
General,

Respondent.

On Petition for Review of an Order of the Board of Immigration
Appeals.

Submitted: January 31, 2008

Decided: May 20, 2008

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

Petition dismissed in part and denied in part by unpublished per
curiam opinion.

Anser Ahmad, AHMAD LAW OFFICES, P.C., Harrisburg, Pennsylvania, for
Petitioner. Peter D. Keisler, Assistant Attorney General, Ethan B.
Kanter, Senior Litigation Counsel, Jeffrey L. Menkin, OFFICE OF
IMMIGRATION LITIGATION, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Saeed Ahmed, a native and citizen of Pakistan, seeks review of an order of the Board of Immigration Appeals (Board) adopting and affirming the decision of the Immigration Judge (IJ) denying relief from removal. Though Ahmed challenges the denial of asylum, we note that the Board specifically upheld the IJ's finding that Ahmed's asylum application was untimely. Ahmed does not challenge the finding of untimeliness, and we note that regardless we are without jurisdiction to consider a such a challenge. See 8 U.S.C.A. § 1158(a)(3) (West 2005).

With regard to withholding of removal under the Immigration and Nationality Act and pursuant to the Convention Against Torture, we find that substantial evidence supports the conclusion that Ahmed was a member of a terrorist organization such that he is barred from that relief. See 8 U.S.C.A. § 1231(b)(3)(B)(iv) (West 2005); 8 U.S.C.A. § 1182(a)(3)(B)(vi)(III) (West 2005); 8 C.F.R. § 1208.16(d)(2) (2007). Finally, we uphold the finding that Ahmed failed to qualify for the relief of deferral of removal under the Convention Against Torture. See 8 C.F.R. § 1208.16(c)(4) (2007).

We accordingly dismiss in part and deny in part 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 IN PART
AND DENIED IN PART