

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-1403**

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EVERTON ANTHONY SURGEON,

Petitioner - Appellant,

v.

MICHAEL B. MUKASEY, Attorney General,

Respondent - Appellee.

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

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Submitted: November 12, 2008

Decided: December 22, 2008

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Before MICHAEL, TRAXLER, and SHEDD, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Linda A. Dominguez, L.A. DOMINGUEZ LAW, LLC, Baltimore, Maryland, for Appellant. Gregory G. Katsas, Assistant Attorney General, William C. Peachey, Assistant Director, Brianne Whelan Cohen, OFFICE OF IMMIGRATION LITIGATION, Washington, D.C., for Respondent.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Everton Anthony Surgeon, a native and citizen of Jamaica, seeks review of an order of the Board of Immigration Appeals (Board) denying his motions to reopen and reconsider. We have reviewed the administrative record and Surgeon's claims and find that the claims are without merit. See Afanwi v. Mukasey, 526 F.3d 788 (4th Cir. 2008) (holding that there is no constitutional right under the Fifth Amendment to effective assistance of counsel in removal proceedings). We accordingly deny the petition for review for the reasons stated by the Board. See In re: Surgeon (B.I.A. Mar. 18, 2008). 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