

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 08-1452**

---

HARRISON FOMBAN NDEH,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney General,

Respondent.

---

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

---

Submitted: November 19, 2008

Decided: December 9, 2008

---

Before WILKINSON, MICHAEL, and MOTZ, Circuit Judges.

---

Petition denied by unpublished per curiam opinion.

---

John T. Riely, Bethesda, Maryland, for Petitioner. Gregory G. Katsas, Assistant Attorney General, M. Jocelyn Lopez Wright, Assistant Director, Carol Federighi, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Harrison Fomban Ndeh, a native and citizen of Cameroon, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reconsider. We have reviewed the record and the Board's order and find that the Board did not abuse its discretion in denying the motion. See 8 C.F.R. § 1003.2(a) (2008). Accordingly, we deny the petition for review for the reasons stated by the Board. See In re: Ndeh (B.I.A. Mar. 25, 2008).<sup>\*</sup> 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

---

<sup>\*</sup> We lack jurisdiction over Ndeh's argument that he effectively withdrew his request for voluntary departure on the ground that he failed to raise this claim before the Board. See 8 U.S.C. § 1252(d)(1) (2006) ("A court may review a final order of removal only if . . . the alien has exhausted all administrative remedies available to the alien as of right."); Gandziami-Mickhou v. Gonzales, 445 F.3d 351, 359 n.2 (4th Cir. 2006) (holding that the court lacks jurisdiction to consider an argument that was not raised before the Board); Asika v. Ashcroft, 362 F.3d 264, 267 n.3 (4th Cir. 2004) (same).