

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-2137**

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MICHAEL ADEMOLA ADEPOJU,  
  
Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,  
  
Respondent.

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

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Submitted: June 17, 2009

Decided: June 30, 2009

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

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Petition denied by unpublished per curiam opinion.

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Ronald D. Richey, LAW OFFICE OF RONALD D. RICHEY, Rockville, Maryland, for Petitioner. Tony West, Assistant Attorney General, Mary Jane Candaux, Assistant Director, Aimee J. Frederickson, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael Ademola Adepoju, a native and citizen of Nigeria, petitions for review of an order of the Board of Immigration Appeals ("Board") dismissing his appeal from the immigration judge's denial of his requests for adjustment of status and voluntary departure. We have reviewed the record and find that substantial evidence supports the finding that Adepoju is ineligible for adjustment of status and voluntary departure. Accordingly, we deny the petition for review for the reasons stated by the Board. See In re: Adepoju (B.I.A. Sept. 10, 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

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<sup>\*</sup> We specifically uphold the finding that the order imposing probation without any adjudication of guilt constituted a conviction for immigration purposes. See 8 U.S.C. § 1101(a)(48)(A) (2006); Yanez-Popp v. INS, 998 F.2d 231 (4th Cir. 1993).