

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-1560

FATU SAMB,

Petitioner,

versus

U.S. IMMIGRATION & NATURALIZATION SERVICE,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A-72-190-539)

Submitted: November 23, 1999

Decided: January 5, 2000

Before LUTTIG, MOTZ, and KING, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Randall L. Johnson, JOHNSON & ASSOCIATES, Arlington, Virginia, for Petitioner. David W. Ogden, Acting Assistant Attorney General, Kristen A. Giuffreda, Senior Litigation Counsel, Margaret J. Perry, Senior Litigation Counsel, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Fatu Samb, a native and citizen of Guinea, seeks review of a final order of the Board of Immigration Appeals (Board) denying Samb's claims for suspension of deportation and voluntary departure, and ordering her deported. We find that substantial evidence supports the Board's decision that Samb is statutorily precluded from demonstrating the good moral character necessary to sustain an application for suspension of deportation. See 8 U.S.C.A. § 1101(f) (West 1999). Furthermore, we lack jurisdiction to review the Board's discretionary decision to deny voluntary departure. See Illegal Immigration Reform and Immigrant Responsibility Act of 1996, § 309(c)(4)(E). Therefore, we deny Samb's petition for review. We grant the Respondent's motion to file a sur-reply brief and have considered the arguments therein.

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