

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

MARIA CARMEN LECCA; ERNESTO
LECCA; DAPHNE GISELA LECCA;
CARMEN FRANCESCA LECCA,
Petitioners,

No. 97-1927

v.

U.S. IMMIGRATION & NATURALIZATION
SERVICE,
Respondent.

On Petition for Review of an Order
of the Board of Immigration Appeals.
(A72-371-964, A72-371-965, A72-371-966, A72-371-967)

Submitted: January 20, 1998

Decided: February 11, 1998

Before HALL and ERVIN, Circuit Judges, and
PHILLIPS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

COUNSEL

John William O'Leary, JOHN O'LEARY & ASSOCIATES, Wash-
ington, D.C., for Petitioners. Frank W. Hunger, Assistant Attorney
General, Michael P. Lindemann, Assistant Director, Douglas E. Gins-
burg, Office of Immigration Litigation, UNITED STATES DEPART-
MENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Maria Carmen Lecca seeks review of the decision of the Board of Immigration Appeals denying relief on her application for asylum and withholding of deportation.¹

Lecca and her children came to the United States in 1991 from Peru with tourist visas, and stayed beyond the authorized period. The Immigration and Naturalization Service commenced deportation proceedings against Lecca and her children. Lecca conceded deportability and sought asylum and withholding of deportation. Lecca claimed that her family was the victim of an extortion scheme by guerrillas in Peru, motivated by her family's political opposition to the guerrillas. At the deportation hearing, the immigration judge found Lecca deportable and denied her application for asylum and withholding of deportation, but granted her alternative request for voluntary departure. On appeal, the Board found that Lecca failed to demonstrate that she was persecuted or had a well-founded fear of future persecution in Peru on account of her or her family's political opinion, and thus dismissed her appeal.

Nothing in the record shows that the Leccas expressed a political opinion regarding the guerrillas, or that the extortion scheme precipitating their departure from Peru was motivated by the Leccas' real or perceived political opinion. See *INS v. Elias-Zacarias*, 502 U.S. 478, 481-83 (1992); *Chen Zhou Chai v. Carroll*, 48 F.3d 1331, 1342-43 (4th Cir. 1995). Thus, our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the Board. *Lecca v. INS*, Nos. A72-371-964; A72-371-965; A72-371-966; A72-371-967 (B.I.A. June 17, 1997). We dispense with oral argument

¹ Lecca's children did not file their own applications.

because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED