

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-1772

MEHERET GETAHUN,

Petitioner,

versus

U.S. IMMIGRATION & NATURALIZATION SERVICE;
JOHN ASHCROFT,

Respondents.

On Petition for Review of an Order of the Board of Immigration Appeals. (A74-290-637)

Submitted: January 23, 2003

Decided: February 14, 2003

Before WIDENER, LUTTIG, and TRAXLER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Lynda V. Rice, CAROLYN C. EAGLIN & ASSOCIATES, Alexandria, Virginia; Arthur D. Wright, III, THE WRIGHT LAW NETWORK, Washington, D.C., for Petitioner. Robert D. McCallum, Jr., Assistant Attorney General, Emily Anne Radford, Assistant Director, Michele Y. F. Sarko, Office of Immigration Litigation, Civil Division, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondents.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Meheret Getahun, a native and citizen of Ethiopia, petitions for review of a final order of the Board of Immigration Appeals (Board) denying her motion to reopen deportation proceedings based on a claim for protection under the United Nations Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. Getahun contends that the Board improperly applied the asylum standard in assessing this claim and failed to give proper weight to relevant country conditions in finding that she failed to establish a prima facie case that it is more likely than not she would suffer torture if she returned to Ethiopia. We have reviewed the administrative record and the Board's decision. We conclude that the Board applied the correct standard in evaluating Getahun's claim, and did not abuse its discretion in denying the motion to reopen. See Stewart v. INS, 181 F.3d 587, 595 (4th Cir. 1999); 8 C.F.R. § 208.16(c)(2) (2002).

Accordingly, we deny the petition for review. 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