

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-2287

RAFFIE TABBAL, a/k/a Raffie Tabbar,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

Submitted: September 1, 2009

Decided: November 10, 2009

Before NIEMEYER, MICHAEL, and DUNCAN, Circuit Judges.

Petition dismissed in part and denied in part by unpublished per curiam opinion.

Raffie Tabbal, Petitioner Pro Se. Raphael Choi, Chief Counsel, Arlington, Virginia; William Charles Peachey, Tyrone Sojourner, Mona Maria Yousif, UNITED STATES DEPARTMENT OF JUSTICE, Office of Immigration Litigation, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Raffie Tabbal, a native and citizen of Gambia, petitions for review of an order of the Board of Immigration Appeals (Board) denying relief on his applications for relief from removal. We have reviewed the administrative record and Tabbal's claims and conclude that Tabbal has been convicted of both aggravated felonies and controlled substance offenses. See 8 U.S.C. §§ 1227(a)(2)(A)(iii), (B)(1) (2006). We therefore find that we are without jurisdiction over the petition for review. See 8 U.S.C. § 1252(a)(2)(C) (2006). Tabbal raises one question of law over which we retain jurisdiction, consisting of a challenge to the Board's finding below that he has been convicted of a particularly serious crime, which renders him ineligible for withholding of removal. See 8 U.S.C. § 1252(a)(2)(D) (2006). Our review discloses that Tabbal's challenge to the Board's finding is without merit. See 8 U.S.C. § 1231(b)(3)(B) (2006).

Accordingly, we dismiss in part and deny in part 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 DISMISSED IN PART
AND DENIED IN PART