

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-1672

GHOLAMREZA ASLIYALFANI,

Petitioner,

versus

U.S. IMMIGRATION & NATURALIZATION SERVICE,

Respondent.

AMERICAN IMMIGRATION LAWYERS ASSOCIATION;
NATIONAL IMMIGRATION PROJECT OF THE NATIONAL
LAWYERS GUILD; LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW OF TEXAS, Immigrant and
Refugee Rights Project,

Amici Curiae.

On Petition for Review of an Order of the Board of Immigration
Appeals. (A28-290-015)

Submitted: January 31, 2000

Decided: March 7, 2000

Before NIEMEYER, LUTTIG, and WILLIAMS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Roberta Freedman, PEDERSON & FREEDMAN, Washington, D.C., for Petitioner. David W. Ogden, Acting Assistant Attorney General, Civil Division, David V. Bernal, Assistant Director, M. Jocelyn Lopez Wright, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent. Mary Kenney, Barbara Hines, LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW OF TEXAS, San Antonio, Texas; Claudia Slovinsky, LAW OFFICE OF CLAUDIA SLOVINSKY, New York, New York, for Amici Curiae.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Gholamreza Asliyalfani, a native and citizen of Iran, seeks review of the Board of Immigration Appeals's (Board) decision to deny his motion to reopen deportation proceedings. Asliyalfani sought to reopen the proceedings for the purpose of applying for suspension of deportation. However, Asliyalfani did not meet the continuous presence requirement for suspension of deportation because he failed to accrue seven years of continuous physical presence prior to the initiation of deportation proceedings against him. See Appiah v. INS, No. 97-1705, 2000 WL 43717 (4th Cir. Jan. 20, 2000). Therefore, we deny Asliyalfani's petition for review and affirm the decision of the Board. 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.

AFFIRMED