

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-2208

CRUZ ANDRES VENTURA-ORELLANA,

Petitioner,

versus

U.S. IMMIGRATION & NATURALIZATION SERVICE,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A70-629-255)

Submitted: March 20, 2000

Decided: April 24, 2000

Before MICHAEL, MOTZ, and TRAXLER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Paul S. Allen, Pauline M. Schwartz, PAUL, SHEARMAN, ALLEN & ASSOCIATES, Washington, D.C., for Petitioner. David W. Ogden, Acting Assistant Attorney General, David V. Bernal, Assistant Director, Anthony C. Payne, 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Unpublished opinions are not binding precedent in this circuit.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:

Cruz Andres Ventura-Orellana, a native and citizen of El Salvador, seeks review a final order of the Board of Immigration Appeals (Board) denying his claims for political asylum, 8 U.S.C.A. § 1158 (West 1999), and withholding of deportation, 8 U.S.C. § 1253(h) (1994).¹ We find that the Board's decision is supported by substantial evidence. See INS v. Elias-Zacarias, 502 U.S. 478, 481 (1992); 8 U.S.C. § 1105a(a)(4) (1994).² Accordingly, we deny Ventura-Orellana's petition for review and affirm the Board's order. 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

¹ Section 307(a) of the Illegal Immigration Reform Immigrant Responsibility Act of 1996 (IIRIRA), Pub. L. No. 104-208, 110 Stat. 3009 repealed 8 U.S.C. § 1253(h). However, because this case was in transition at the time the IIRIRA was passed, § 1253(h) is still applicable under the terms of the IIRIRA's transitional rules.

² Section 306(b) of the IIRIRA repealed 8 U.S.C. § 1105a(a)(4), replacing it with 8 U.S.C.A. § 1252(b)(4) (West 1999). Again, because Ventura-Orellana's case was in transition at the time of the effective date of the IIRIRA, the transitional rules provide for judicial review under § 1105a(a)(4) as it existed before enactment of the IIRIRA. See IIRIRA § 309(c)(4).