

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1011

SAMUEL NDUM AKWA,

Petitioner,

versus

ALBERTO R. GONZALES, U.S. Attorney General;
NURIA PRENDES, DHS, USCIS Field Operations
Director; JAN BOYLE, AUSA,

Respondents.

On Petition for Review of an Order of the Board of Immigration
Appeals. (A27-537-577)

Submitted: September 8, 2006 Decided: September 29, 2006

Before WILKINSON, KING, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Angie N. N'Duka, LAW OFFICES OF ANGIE N. N'DUKA, Dallas, Texas, for
Petitioner. Peter D. Keisler, Assistant Attorney General, M.
Jocelyn Lopez Wright, OFFICE OF IMMIGRATION LITIGATION, Paul
Cirino, 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Unpublished opinions are not binding precedent in this circuit.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:

Samuel Ndum Akwa petitions for review of the Board of Immigration Appeals' order affirming the immigration judge's denial of his motion to reopen his 1989 deportation proceeding. Akwa sought rescission of a final order of deportation entered in absentia because he failed to attend a scheduled hearing. Akwa asserts he was never personally served with the Order to Show Cause and that he was unaware of the scheduled deportation hearing. We have reviewed the administrative record and find no abuse of discretion in the denial of the motion to reopen. See INS v. Doherty, 502 U.S. 314 (1992); 8 U.S.C.A. § 1229a(b)(5)(C)(I), (e)(1) (West 2005). We therefore 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