

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1603

EHIABHI EGBOH,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

On Petition for Review of an Order of the Immigration Court.

Submitted: December 15, 2016

Decided: January 4, 2017

Before TRAXLER and DIAZ, Circuit Judges, and DAVIS, Senior Circuit Judge.

Petition dismissed by unpublished per curiam opinion.

Randall L. Johnson, JOHNSON & ASSOCIATES, P.C., Arlington, Virginia, for Petitioner. Benjamin C. Mizer, Principal Deputy Assistant Attorney General, Anthony P. Nicastro, Assistant Director, Vanessa M. Otero, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ehiabhi Egboh, a native and citizen of Nigeria, petitions for review of the immigration judge's order concurring with an asylum officer's determination that Egboh failed to establish a reasonable fear of persecution or torture in Nigeria. See 8 C.F.R. § 1208.31(g)(1) (2012).

Pursuant to 8 U.S.C. § 1252(a)(2)(C) (2012), we lack jurisdiction to review the final order of removal of an alien convicted of certain enumerated crimes, including an aggravated felony. We retain jurisdiction only over constitutional claims or questions of law. 8 U.S.C. § 1252(a)(2)(D) (2012); see Turkson v. Holder, 667 F.3d 523, 526-27 (4th Cir. 2012); Gomis v. Holder, 571 F.3d 353, 358 (4th Cir. 2009) ("[A]bsent a colorable constitutional claim or question of law, our review of the issue is not authorized by [8 U.S.C. §] 1252(a)(2)(D).").

Upon review, we find that the claims raised by Egboh are not sufficiently colorable to invoke this court's jurisdiction. See Lumataw v. Holder, 582 F.3d 78, 84 (1st Cir. 2009) ("To form the basis of judicial review under § 1252(a)(2)(D), the alleged underlying constitutional or legal question must be colorable; that is, the argument advanced must, at the very least, have some potential validity." (internal quotation marks omitted)). Accordingly, we dismiss the petition for review for lack of jurisdiction. We dispense with oral argument because the facts

and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DISMISSED