

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-1248

PATRICK M. NJEHIAH,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A72-163-897)

Submitted: August 30, 2006

Decided: January 12, 2007

Before WIDENER and DUNCAN, Circuit Judges, and Joseph R. GOODWIN, United States District Judge for the Southern District of West Virginia, sitting by designation.

Petition dismissed in part and denied in part by unpublished per curiam opinion.

Liam Ge, Columbia, Maryland, for Petitioner. Peter D. Keisler, Assistant Attorney General, Emily Anne Radford, Assistant Director, Aviva L. Poczter, Senior Litigation Counsel, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Patrick M. Njehiah, a native and citizen of Kenya, petitions for review of an order of the Board of Immigration Appeals adopting and affirming the Immigration Judge's (IJ) decision denying his applications for asylum, withholding of removal, and protection under the Convention Against Torture (CAT). As Njehiah does not substantively challenge the denial of asylum and withholding of removal in his opening brief, we find that he has abandoned those claims on appeal. See Edwards v. City of Goldsboro, 178 F.3d 231, 241 n.6 (4th Cir. 1999). Next, we uphold the IJ's finding that Njehiah failed to establish that it was more likely than not that he would be tortured if removed to Kenya. See 8 C.F.R. § 1208.16(c)(2) (2006).

We accordingly grant the Attorney General's motion to dismiss the petition for review in part with respect to the asylum and withholding of removal claims. We deny the petition for review with respect to Njehiah's CAT claim and 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