

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-2199

MOHAMAD ICHSANUL FIKRI,

Petitioner,

versus

ALBERTO R. GONZALES, U.S. Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A79-238-660)

Submitted: April 19, 2006

Decided: October 30, 2006

Before NIEMEYER, LUTTIG,* and TRAXLER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Winston W. Tsai, Bethesda, Maryland, for Petitioner. Peter D. Keisler, Assistant Attorney General, James E. Grimes, Leslie McKay, Senior Ligation Counsel, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.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

*Judge Luttig was a member of the original panel but did not participate in this decision. This opinion is filed by a quorum of the panel pursuant to 28 U.S.C. § 46(d).

PER CURIAM:

Mohamad Ichsanul Fikri, a native and citizen of Indonesia, appeals an order of the Board of Immigration Appeals ("Board") dismissing his appeal from the immigration judge's order granting him voluntary departure and entering an alternate order of removal to Indonesia. Specifically, Fikri contends that the Board erred in upholding the immigration judge's denial of his motion for a fourth continuance.

Based on our review of the record, we find that the Board did not abuse its discretion in upholding the denial of Fikri's motion for a continuance. See Onyeme v. INS, 146 F.3d 227, 231 (4th Cir. 1998) (setting forth standard of review). We have also reviewed Fikri's claim that the Board rendered its decision in violation of his rights to due process of law. As Fikri fails to establish that his rights were "transgressed in such a way as is likely to impact the results of the proceeding," Rusu v. INS, 296 F.3d 316, 320-21 (4th Cir. 2002), we find that he is not entitled to relief on this claim.

Accordingly, we 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