

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1044

JOHN KOJO SHOETAN,

Petitioner,

versus

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

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A78-218-794)

Submitted: December 15, 2006

Decided: January 9, 2007

Before NIEMEYER, SHEDD, and DUNCAN, Circuit Judges.

Petition granted and remanded by unpublished per curiam opinion.

Joshua A. Moses, JOSHUA MOSES & ASSOCIATES, Silver Spring, Maryland, for Petitioner. Peter D. Keisler, Assistant Attorney General, M. Jocelyn Lopez Wright, Assistant Director, Eric W. Marsteller, 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Unpublished opinions are not binding precedent in this circuit.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:

John Kojo Shoetan, a native and citizen of Ghana, petitions for review of the Board of Immigration Appeals' ("Board") order affirming the immigration judge's decision that he was without jurisdiction to consider the application for adjustment of status. We grant the petition for review and remand the case to the Board for further consideration in light of 71 Federal Register 27,585 (May 12, 2006). 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 GRANTED AND REMANDED