

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1189

MULUADAM GEMECHU BIFTU,

Petitioner,

versus

MICHAEL B. MUKASEY, Attorney General,

Respondent.

No. 07-1647

MULUADAM GEMECHU BIFTU,

Petitioner,

versus

MICHAEL B. MUKASEY, Attorney General,

Respondent.

On Petitions for Review of Orders of the Board of Immigration Appeals. (A98-730-941)

Submitted: December 12, 2007

Decided: January 7, 2008

Before WILKINSON, NIEMEYER, and GREGORY, Circuit Judges.

Petitions denied by unpublished per curiam opinion.

Samuel Cassin, Jason A. Dzubow, Lisa D. Butler, Washington, D.C., for Petitioner. Jeffrey S. Bucholtz, Acting Assistant Attorney General, Anh-Thu P. Mai, Senior Litigation Counsel, Arthur L. Rabin, 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Unpublished opinions are not binding precedent in this circuit.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:

In these consolidated cases, Muluadam Gemechu Biftu, a native and citizen of Ethiopia, petitions for review of orders of the Board of Immigration Appeals ("Board") adopting and affirming the immigration judge's order denying her applications for asylum, withholding from removal and withholding under the Convention Against Torture ("CAT") and denying her motion for reconsideration and to reopen. We deny the petitions for review.

Insofar as Biftu petitions for review of the Board's order adopting and affirming the immigration judge's decision, we deny the petition for review because Biftu did not challenge the decision in the argument section of her brief. "It is a well settled rule that contentions not raised in the argument section of the opening brief are abandoned." United States v. Al-Hamdi, 356 F.3d 564, 571 n.8 (4th Cir. 2004). This rule applies in the immigration context as well. See Yousefi v. INS, 260 F.3d 318, 326 (4th Cir. 2001) (issues not raised in the opening brief are abandoned).

We further find the Board did not abuse its discretion in denying the motion to reconsider or to reopen. See Nibagwire v. Gonzales, 450 F.3d 153, 156 (4th Cir. 2006); Jean v. Gonzales, 435 F.3d 475, 481 (4th Cir. 2006) (stating standard of reviews). We find the Board did not clearly err by finding after reviewing Biftu's submissions that she failed to support her claim

that she would be subjected to persecution if she returned to Ethiopia. We will not review the claim that the Board erred by not independently reviewing her claims for withholding from removal and withholding under the CAT. According to Biftu, a finding of firm resettlement does not prevent the alien from receiving either of those forms of relief. Biftu did not raise this claim in her motion to reopen. See Asika v. Ashcroft, 362 F.3d 264, 267 n.3 (4th Cir. 2004).

Accordingly, we deny the petitions 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.

PETITIONS DENIED