

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-1769**

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YVES G. WANTOU DEUGOUE,

Plaintiff - Appellant,

v.

MICHAEL CHERTOFF, as Secretary of the Department of Homeland Security; JONATHAN SCHARFEN, as the Acting Director of the U.S. Citizenship & Immigration Services; PHYLLIS HOWARD, as District Director of the Citizenship & Immigration Services for Washington, DC located in Fairfax, VA; MICHAEL B. MUKASEY, as Attorney General of the United States,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Senior District Judge. (1:08-cv-01279-CMH-IDD)

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Submitted: February 19, 2010

Decided: March 1, 2010

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Before GREGORY, DUNCAN, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Yves G. Wantou Deugoue, Appellant Pro Se. Bernard G. Kim, OFFICE OF THE UNITED STATES ATTORNEY, Lauren Anne Wetzler, Assistant United States Attorney, Alexandria, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Yves G. Wantou Deugoue appeals the district court's order granting Defendants' motion to dismiss this civil action to compel adjudication of an application for adjustment of status. We have reviewed the record and find no reversible error. Accordingly, we affirm substantially for the reasons stated by the district court. Deugoue v. Chertoff, No. 1:08-cv-01279-CMH-IDD (E.D. Va. May 15, 2009); see Fed. R. Civ. P. 12(b)(1). 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.

AFFIRMED