

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 12-2067**

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SAMUEL ALEXANDER DOUGLAS,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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On Petition for Review of an Order of the Board of Immigration Appeals.

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Submitted: February 15, 2013

Decided: February 22, 2013

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Before SHEDD, DAVIS, and FLOYD, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Samuel Alexander Douglas, Petitioner Pro Se. Robbin Kinmonth Blaya, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Samuel Alexander Douglas, a native and citizen of Jamaica, petitions for review of an order of the Board of Immigration Appeals ("Board") summarily dismissing his appeal from the immigration judge's order finding him removable. We deny the petition for review.

Douglas stood convicted of possession of more than ½ ounce but not more than five pounds of marijuana with the intent to distribute, a felony, in violation of Va. Code Ann. § 18.2-248.1 (2009), and possession of a controlled substance with intent to distribute, in violation of Md. Code Ann., Crim Law § 5-602 (LexisNexis 2012). Based on the two convictions, Douglas was served with a notice to appear ("NTA"), alleging that he was removable. The immigration judge sustained the charges in the NTA and found Douglas removable for having been convicted of an aggravated felony, 8 U.S.C. § 1227(a)(2)(A)(iii) (2006), two crimes of moral turpitude, 8 U.S.C. § 1227(a)(2)(A)(i)(II), (ii), and a controlled substance offense, 8 U.S.C. § 1227(a)(2)(B)(i). We have reviewed the record and conclude that the immigration judge properly found Douglas was removable.

The Board's summary dismissal is reviewed for abuse of discretion. See Esponda v. U.S. Att'y Gen., 453 F.3d 1319, 1321 (11th Cir. 2006); Singh v. Gonzales, 416 F.3d 1006, 1009 (9th

Cir. 2005); Rioja v. Ashcroft, 317 F.3d 514, 515 (5th Cir. 2003). The Board dismissed Douglas' appeal because he "fail[ed] to specify the reasons for the appeal on Form EOIR-26 or Form EOIR-29 (Notices of Appeals) or other document filed therewith" and he failed to file the brief or statement in support of the appeal that he indicated would be filed and failed to explain his failure to do so. 8 C.F.R. § 1003.1(d)(2)(i)(A), (E) (2012). We have reviewed the record and conclude that the Board did not abuse its discretion by summarily dismissing the appeal. In the notice of appeal, Douglas failed to cite an error of law with the immigration judge's decision or cite to any authority.

Accordingly, we deny the petition for review. We grant Douglas' motion to proceed in forma pauperis. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED