UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-2483

SAMUEL NDUNGU MBURU,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

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

Submitted: October 27, 2016 Decided: November 21, 2016

Before TRAXLER, FLOYD, and THACKER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Japheth N. Matemu, MATEMU LAW OFFICE P.C., Raleigh, North Carolina, for Petitioner. Benjamin C. Mizer, Principal Deputy Assistant Attorney General, Linda S. Wernery, Assistant Director, William C. Minick, Trial Attorney, 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Unpublished opinions are not binding precedent in this circuit.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:

Samuel Ndungu Mburu, a native and citizen of Kenya, petitions for review of an order of the Board of Immigration Appeals (Board) dismissing his appeal from the immigration judge's decision finding him inadmissible and thus ineligible for adjustment of status. Mburu "bears the burden of proving that he clearly and beyond doubt is not inadmissible" under the false claim bar of 8 U.S.C. § 1182(a)(6)(C)(ii)(I) (2012). Dakura v. Holder, 772 F.3d 994, 998 (4th Cir. 2014) (alteration and internal quotation marks omitted). Based on our review of the record, we conclude that substantial evidence supports the agency's finding that Mburu failed to credibly establish that he is not inadmissible for falsely representing himself to be a citizen of the United States. We therefore deny the petition for review for the reasons stated by the Board. In re Mburu (B.I.A. Oct. 26, 2015). 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