

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-1656

ISRAEL ACUNO RUBIO,

Petitioner,

v.

MATTHEW G. WHITAKER, Acting Attorney General,

Respondent.

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

Submitted: November 30, 2018

Decided: December 14, 2018

Before WILKINSON, DUNCAN, and HARRIS, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Chester Smith, SMITH LAW ASSOCIATES, PLLC, Virginia Beach, Virginia, for
Petitioner. Joseph H. Hunt, Assistant Attorney General, Terri J. Scadron, Assistant
Director, Manuel A. Palau, Trial Attorney, UNITED STATES DEPARTMENT OF
JUSTICE, OFFICE OF IMMIGRATION LITIGATION, Washington, D.C., for
Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Israel Acuno Rubio, a native and citizen of Mexico, petitions for review of an order of the Board of Immigration Appeals (Board) dismissing Rubio's appeal from the Immigration Judge's denial of Rubio's applications for withholding of removal and protection under the Convention Against Torture. We have thoroughly reviewed the administrative record and conclude that substantial evidence supports the Board's determinations. With regard to Rubio's allegations of ineffective assistance of counsel, we lack jurisdiction to review these claims because Rubio did not properly raise them before the Board. *See Massis v. Mukasey*, 549 F.3d 631, 638 (4th Cir. 2008) (“[U]nder 8 U.S.C. § 1252(d)(1), an alien's failure to dispute an issue on appeal to the [Board] constitutes a failure to exhaust administrative remedies that bars judicial review.”). For the remainder of Rubio's claims, we deny the petition for review for the reasons stated by the Board. *See In re Rubio* (B.I.A. May 15, 2018). Accordingly, we deny the petition for review. 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