

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-60743
Summary Calendar

LAZARO HILARIOS-MARTINEZ,

Petitioner,

versus

IMMIGRATION AND NATURALIZATION SERVICE,

Respondent.

- - - - -
Petition for Review of an Order of the
Board of Immigration Appeals
A90-875-216
- - - - -

October 27, 1997

Before DUHE', DeMOSS and DENNIS, Circuit Judges.

PER CURIAM:*

Lazaro Hilarios-Martinez, a Mexican citizen, has filed a petition for review of the dismissal by the Board of Immigration Appeals (BIA) of his appeal of his deportation order pursuant to 8 U.S.C. § 1251(a)(3)(B)(iii). He argues that he is entitled to a waiver of deportability pursuant to 8 U.S.C. § 1182(c). We have reviewed the record and find that the BIA's affirmance of the Immigration Judge's denial of a § 1182(c) waiver was not an abuse of discretion. See Ghassan v. INS, 972 F.2d 631, 636 (5th

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Cir. 1992); Matter v. Hernandez-Casillas, 20 I & N Dec. 262 (Attorney General 1991).

Hilarios-Martinez also argues that the Immigration Judge denied his statutory right to counsel. We have reviewed the record and find that the BIA's determination that Hilarios-Martinez was not denied his right to counsel is supported by substantial evidence. See Ogbemudia v. INS, 988 F.2d 595, 597-99 (5th Cir. 1993); Matter of Madrigal-Calvo, Interim Dec. 3274 (BIA 1996).

The petition for review is DENIED.