

April 11, 2003

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-60440  
Summary Calendar

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WEN SHENG DONG,

Petitioner,

versus

JOHN ASHCROFT, U.S. ATTORNEY GENERAL,

Respondent.

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Petition for Review of an Order of the  
Board of Immigration Appeals  
BIA No. A71 984 806  
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Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Wen Sheng Dong petitions this court to review the decision of Board of Immigration Appeals (BIA) denying his motion to reopen immigration proceedings. We hold that the BIA's finding that Dong received legally sufficient notice was supported by substantial evidence and, therefore, that the denial of the motion to reopen was not an abuse of discretion. See Mikhael v. INS, 115 F.3d 299, 302 (5th Cir. 1997); Pritchett v. INS, 993 F.2d 80, 83 (5th Cir. 1993).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

We lack jurisdiction to consider Dong's asylum claim. See  
Witter v. INS, 113 F.3d 549, 554 (5th Cir. 1997).

Dong's petition for review is DENIED.