

June 16, 2003

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 02-60653
Summary Calendar

PEDRO ABASOLO,

Petitioner,

versus

JOHN ASHCROFT, U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A77 246 942

Before HIGGINBOTHAM, DUHÉ, and CLEMENT, Circuit Judges.

PER CURIAM:¹

Pedro Abasolo petitions this court to review the decision of the Board of Immigration Appeals (BIA) denying his application for asylum. Abasolo argues that the BIA's order summarily affirming the IJ's decision provides an inadequate basis for judicial review by this court. We recently have held that such a summary affirmance does not deprive this court of a basis for judicial review. Soadjede v. Ashcroft, 324 F.3d 830, 832-33 (5th Cir. 2003).

¹ 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

Abasolo does not argue that the BIA's determination that he was not eligible for withholding of deportation is not supported by substantial evidence. Thus, the issue is deemed abandoned. See Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987).

Abasolo contends that he established his eligibility for asylum because he demonstrated a well-founded fear of persecution on account of on his sexual orientation. The BIA's determination that Abasolo was not eligible for asylum is supported by reasonable, substantial, and probative evidence. See United States v. Girma, 283 F.3d 664, 666 (5th Cir. 2002).

PETITION DENIED.