

March 3, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-60206
Summary Calendar

HORATIU ANTONIU TEBAN,

Petitioner,

versus

ALBERTO R. GONZALES, U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A75 207 127

Before HIGGINBOTHAM, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Horatiu Antoniu Teban petitions for review of an order of the Board of Immigration Appeals (BIA) denying his motion for consolidation or remand and affirming the Immigration Judge's (IJ's) decision ordering him removed from the United States. Teban argues that his due process rights were violated when he was not timely informed that his former marriage had been found fraudulent and, concomitantly, his previous wife's I-130 application was denied. He contends that this fraud finding harms him by

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

precluding him from receiving an adjustment of status based on his current marriage.

Teban has not shown that he is entitled to relief from the BIA's judgment. Teban had no right to challenge the denial of his former wife's I-130 application. See 8 C.F.R. § 204.2. Teban has failed to establish that his due process rights were implicated by the disposition of this application. See Manzano-Garcia v. Gonzales, 413 F.3d 462, 470 (5th Cir. 2005). Teban has likewise failed to show that the BIA erred in affirming the order of removal issued by the IJ and denying his motion for consolidation or remand. Consequently, Teban's petition for review is DENIED.