

UNITED STATES COURT OF APPEALS  
for the Fifth Circuit

---

No. 92-4451  
Summary Calendar

---

CECIL CLIVE MORGAN,

Petitioner,

VERSUS

IMMIGRATION AND NATURALIZATION SERVICE,

Respondent.

---

Petition for Review of an Order of the for the  
Board of Immigration Appeals  
A26 404 755

---

March 18, 1993

Before KING, DAVIS and WIENER, Circuit Judges.

PER CURIAM:<sup>1</sup>

Cecil Clive Morgan was ordered deported to Jamaica following his conviction for possessing a firearm by a convicted felon. Morgan now seeks review of an order of the Board of Immigration Appeals (BIA) affirming an immigration judge's order denying Morgan a waiver of deportability under the Immigration and Nationality Act (INA) § 212(c), 8 U.S.C. § 1182(c). Because this court's decision in **Hernandez-Casillas v. INS**, No. 92-4033 (5th Cir. Jan. 4, 1993)

---

<sup>1</sup>Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

is dispositive of appellant's case on appeal, we affirm the BIA's order.

In **Hernandez v. Casillas**, the Attorney General on review of a BIA decision, held that § 212(c) relief is available in deportation proceedings only when a correspondingly statutorily-referenced ground for exclusion exists. This court on review affirmed, noting the Attorney General's broad administrative discretion in interpreting and implementing the INA. Morgan urges us to interpret § 212(c) to allow a waiver of deportation which was ordered following his conviction of possessing a firearm. But, as in **Hernandez-Casillas**, the ground for Morgan's deportation lacks a corresponding basis for excludability and may not be waived under § 212(c). Thus, Morgan's appeal is controlled by **Hernandez-Casillas**. Accordingly, we affirm the order of the Board of Immigration Appeals.

AFFIRMED.