

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 92-4755

Summary Calendar

AMANDA SATURINA CASTRO-CAMPOS,

Petitioner,

v.

IMMIGRATION AND NATURALIZATION SERVICE,

Respondent.

Petition for Review of an Order of the
Immigration and Naturalization Service
(A29 354 486)

(January 27, 1993)

Before KING, DAVIS and WIENER, Circuit Judges.

PER CURIAM:*

Petitioner Amanda Saturina Castro-Campos ("Petitioner") seeks review of a final order of the Board of Immigration Appeals denying Petitioner's application for withholding of deportation. Petitioner is a convicted drug trafficker who seeks to avoid deportation from the United States. Because Petitioner has been convicted of an aggravated felony offense in the United States,

*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 Pursuant to that Rule, the court has determined that this opinion should not be published.

she is considered to have committed a particularly serious crime for purposes of section 243(h)(2)(B) of the Immigration and Nationality Act, and is therefore not eligible for withholding of deportation. See 8 U.S.C. § 1253(h)(2)(B). Petitioner argues that withholding of deportation cannot be denied without a separate determination of danger to the community, and that application of the statutory bar to relief under section 243(h)(2)(B) deprived her of due process of law. As counsel for the Immigration and Naturalization Service points out, each of these arguments was rejected by this court in Martins v. INS, 972 F.2d 657, 661-62 (5th Cir. 1992). Petitioner urges that this panel should find that the panel in Martins erred and that a separate finding of danger to the community is required where an applicant for withholding of deportation has been convicted of a particularly serious crime. Even if this panel believed that Martins was wrongly decided, which it does not, we would be unable to overrule the decision of another panel of this court. Only the en banc court can do that.

The Petition for Review of the Order of the Board of Immigration Appeals is DISMISSED. Petitioner's emergency motion for stay of deportation is DENIED. The mandate shall issue forthwith.