

UNITED STATES COURT OF APPEALS  
For the Fifth Circuit

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No. 93-4652  
Summary Calendar

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ROGELIO ORTIZ-SANTELLAN,

Appellant,

VERSUS

IMMIGRATION AND NATURALIZATION SERVICE,

Appellee.

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Petition for Review of an Order of  
the Immigration and Naturalization Service  
(A29 993 363)

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(November 15, 1993)

Before DAVIS, JONES, and DUHÉ, Circuit Judges.

PER CURIAM:<sup>1</sup>

Petitioner, Rogelio Ortiz-Santellan, appeals a decision of the Board of Immigration Appeals ("the BIA") ordering him deported and denying him voluntary departure from the United States. We affirm.

Mr. Ortiz-Santellan is a Mexican citizen who first entered the United States in 1985. Since 1987, he has been employed by an Hispanic newspaper in Dallas, Texas. In the latter part of 1989, Mr. Ortiz-Santellan returned to Mexico. On January 21, 1990, he reentered the United States without inspection near Del Rio, Texas.

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<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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

When later apprehended, Mr. Ortiz-Santellan gave a false statement to immigration officials, claiming that his name was "Asuncion Rodriguez," and misstating the place and date of his birth. Mr. Ortiz-Santellan later admitted paying smugglers to transport him into the United States and pled guilty to a criminal complaint charging him with having illegally entered the United States. He was sentenced to, and has served, forty-five days confinement.

Before the immigration judge, Mr. Ortiz-Santellan conceded his deportability and requested voluntary departure in lieu of an order of deportation. The immigration judge denied his request for voluntary departure as a matter of discretion. The BIA affirmed this decision and dismissed his appeal.

Before this court, Mr. Ortiz-Santellan argues that adequate consideration has not been given to the hardships he will suffer if deported and that the BIA abused its discretion in denying his request for voluntary departure. Our review of the record persuades us that the BIA gave adequate consideration to the issues raised by Mr. Ortiz-Santellan. While the BIA did not discuss every issue raised, its decision is sufficient for our review. **See Luciano-Vincente v. I.N.S.**, 786 F.2d 706, 708-09 (5th Cir. 1986). Mr. Ortiz-Santellan's conviction for entry without inspection, his entry into the country with the assistance of paid smugglers, and his false statements to the border patrol officers provide adequate support for the denial of his request for voluntary departure. **See Equan v. I.N.S.**, 844 F.2d 276, 279 (5th Cir. 1988).

AFFIRMED.