

UNITED STATES COURT OF APPEALS  
FIFTH CIRCUIT

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No. 93-4877

(Summary Calendar)

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WESLEY MCLEOD,

Petitioner,

versus

IMMIGRATION AND NATURALIZATION  
SERVICE,

Respondent.

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Petition for Review of an Order of the  
Immigration and Naturalization Service  
(A34 359 559)

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(October 22, 1993)

Before SMITH, WIENER, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

Wesley McLeod appeals the summary dismissal of his appeal from the immigration judge's order of deportation. Because McLeod failed to specify before the Board of Immigration Appeals ("BIA") what aspect of the immigration judge's order was incorrect and why,<sup>1</sup> we find no abuse of discretion in the BIA's summary

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\* Local Rule 47.5.1 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

<sup>1</sup> McLeod's notice of appeal states:

The attorney that took the case did not have enough time

dismissal. See 8 C.F.R. § 3.1(d)(1-a)(A) (1993) ("The Board may summarily dismiss any appeal . . . in any case in which . . . [t]he party concerned fails to specify the reasons for the appeal . . . ."); *Townsend v. United States Dep't of Justice I.N.S.*, 799 F.2d 179, 181-82 (5th Cir. 1986) (finding no abuse of discretion in the BIA's summary dismissal under 8 C.F.R. § 3.1(d)(1-a) where petitioner failed to specify what aspect of the immigration judge's order was incorrect and why); see also *Nazakat v. I.N.S.*, 981 F.2d 1146, 1148 (10th Cir. 1992); *Toquero v. I.N.S.*, 956 F.2d 193, 195 (9th Cir. 1992); *Athehortua-Vanegas v. I.N.S.*, 876 F.2d 238, 241 (1st Cir. 1989); *Bonne-Annee v. I.N.S.*, 810 F.2d 1077, 1078 (11th Cir. 1987). Accordingly, we AFFIRM.

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to prepare an amply [sic] defence [sic]. He did not have enough time to gather up all the material that are vital to my defence [sic], because he took the case on such short notice. Evidence to verify my rehabilitation was not attained because of said matter. I believe that the desicion [sic] that was rendered would not have [been] rendered giving [sic] the circumstance of lack of evidence. [sic] And credibility[.]  
Record on Appeal at 8. Although McLeod's notice of appeal indicated that he would file a separate brief, none was ever filed.