

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-4938

Summary Calendar

STEPHEN I. AJAEJBO,

Petitioner,

versus

IMMIGRATION AND NATURALIZATION
SERVICE,

Respondent.

PETITION FOR REVIEW OF AN ORDER OF
THE IMMIGRATION AND NATURALIZATION SERVICE
(A21-4830722)

(February 11, 1994)

Before KING, HIGGINBOTHAM, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Stephen Ajaejbo is a Nigerian citizen who has been a lawful permanent resident of the United States since 1979. He is currently serving a seven year prison sentence for conspiring to import heroin into the United States. The INS charged him with deportability as a result of his drug conviction pursuant to 8 U.S.C. § 1251. An immigration judge denied Ajaejbo a waiver of

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

deportability and the Board of Immigration Appeals affirmed. We affirm as well.

The Attorney General has unusually broad discretion in granting and denying waivers under section 212(c) of the Immigration and Nationality Act, 8 U.S.C. § 1182(c). Ashby v. INS, 961 F.2d 555, 557 (5th Cir. 1992). The record shows that the immigration judge addressed every issue Ajaejbo now raises, and that the board gave the judge's decision a thorough review. The reweighing of equities considered by the board is not the task of this court. Molenda v. INS, 998 F.2d 291, 295 (5th Cir. 1993). We find nothing "arbitrary, irrational, or contrary to law" in the handling of Ajaejbo's case. See id. at 294.

Ajaejbo did not ask the board for asylum. Section 106 of the Immigration and Nationality Act requires an alien to exhaust administrative remedies before seeking review in this court. 8 U.S.C. § 1105a(c). Accordingly, Ajaejbo's request for asylum is not before this court and we do not address it. Yakhpua v. INS, 770 F.2d 1317, 1320 (5th Cir. 1985).

AFFIRMED