

UNITED STATES COURT OF APPEALS  
for the Fifth Circuit

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No. 93-5304  
Summary Calendar

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CARLA JOYCE JOHNSON SIMMONS,

Petitioner,

VERSUS

IMMIGRATION AND NATURALIZATION SERVICES,

Respondent.

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Petition for Review of an Order of the  
Immigration and Naturalization Service  
(A22-207-109)

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(April 20, 1994)

Before DAVIS, JONES and DUHÉ, Circuit Judges.

PER CURIAM:<sup>1</sup>

For the following reasons we find no merit to this appeal in which appellant challenges her deportation order:

1. The petitioner was born in Bermuda. Her mother was an unmarried Bermudan citizen. The petitioner contends that her natural father was a U.S. citizen, but she produces no evidence to establish her claimed relationship. Therefore, the BIA did not err in concluding that she did not rebut the presumption of alienage.

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

2. The BIA did not err in concluding that grounds for deportability were well established. The petitioner admitted and the conviction records confirmed that she was twice convicted in Virginia for crimes involving controlled substances. Therefore, the record amply supports the court's conclusion that the petitioner's deportability was established by clear, unequivocal and convincing evidence. **See Elias Zacharias v. INS**, 112 S.Ct. 812, 817 (1992).

3. We also agree with the BIA for reasons stated in its August 25, 1993 order that the petitioner is ineligible for relief from the deportation order.

The order of the BIA is therefore affirmed.

AFFIRMED.