

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-60735  
Summary Calendar

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VIBERT BRENTNOL ROSS,

Petitioner,

versus

IMMIGRATION AND NATURALIZATION SERVICE,

Respondent.

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Petition for Review of an Order of the  
Board of Immigration Appeals  
A34-717-083

- - - - -  
September 3, 1996

Before GARWOOD, JOLLY and DENNIS, Circuit Judges.

PER CURIAM:\*

Vibert B. Ross, a Guyanan citizen, asserts that the Board of Immigration Appeals ("BIA") erred in summarily dismissing his application for waiver of deportation, filed pursuant to 8 U.S.C. § 1182(c). The BIA did not abuse its discretion in dismissing his appeal for failure to file an appellate brief. See 8 C.F.R. § 3.1(d)(1-a)(i)(E); Medrano-Villatoro v. INS, 866 F.2d 132, 134 (5th Cir. 1989). Ross has failed to demonstrate that his counsel

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

was ineffective for failing to file such brief, because he has not shown prejudice. See Miranda-Lores v. INS, 17 F.3d 84, 85 (5th Cir. 1994).

The petition for review is DENIED.

Ross' "Motion to Amend and Addendum" is DENIED.