

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 92-4672

Summary Calendar

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Ramon Javier Alvarez,

Petitioner,

versus

Immigration and Naturalization  
Service,

Respondent.

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Petition for Review of an Order of  
the Board of Immigration Appeals  
(A38 946 099)

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(November 27, 1992)

Before HIGGINBOTHAM, SMITH, and DeMOSS, Circuit Judges.

PER CURIAM:\*

The findings of the Board of Immigration Appeals are supported by reasonable, substantial, and probative evidence, and the Board has made no error of law. See Howard v. I.N.S., 930 F.2d 432, 434 (5th Cir. 1991).

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

We write only to explain that petitioner's due process claim is without merit. Petitioner argues that admission of the INS Form I-213 denied him the opportunity to cross examine its maker in violation of his due process rights. The rules of evidence are not applicable in deportation proceedings. Bustos-Torres v. I.N.S., 898 F.2d 1053, 1055 (5th Cir. 1990). Although deportation proceedings implicate due process concerns, "[t]he full panoply of due process protections does not apply to deportation proceedings." Chike v. I.N.S., 948 F.2d 961, 962 (5th Cir. 1991). To warrant relief, petitioner must show substantial prejudice. Id.; Calderon-Ontiveros v. I.N.S., 809 F.2d 1050, 1052 (5th Cir. 1986). Petitioner speculates that the Form I-213 may refer to another person with an identical name. He offers no basis for that speculation, and does not challenge any specific entry in the document. This fails to demonstrate substantial prejudice in violation of the due process clause.

AFFIRMED.