

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-60101  
Conference Calendar

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FEREYDOUN ZARE MONTANAGH,

Petitioner,

versus

IMMIGRATION AND NATURALIZATION SERVICE,

Respondent.

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Petition for Review of an Order  
of the Board of Immigration Appeals  
BIA No. A23-441-017  
- - - - -

December 21, 1995

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:\*

Iranian citizen Fereydoun Zare Montanagh appeals the Board of Immigration Appeals's (BIA) denial of his motion to reopen his deportation proceedings to seek asylum or for reconsideration of the BIA's earlier denial of his request for a waiver from deportation. Montanagh contends that he has a constitutional right to a closed asylum hearing; that the immigration judge declined to assure him that the Iranian government would not be

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\* Local Rule 47.5.1 provides: "The publication of opinions that 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 Pursuant to that Rule, the court has determined that this opinion should not be published.

told about any asylum application; that the BIA erred by dismissing his fear of persecution without hearing evidence of that fear; and that his well-founded fear of persecution merits a grant of asylum. We have reviewed the record and the BIA's opinion and find no abuse of discretion. Accordingly, we deny the petition for review.

PETITION DENIED.