

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-2244

ABDUL RAMAN BANGURA,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals.

Submitted: April 22, 2009

Decided: June 3, 2009

Before NIEMEYER, DUNCAN, and AGEE, Circuit Judges.

Petition denied in part and dismissed in part by unpublished per curiam opinion.

Randall L. Johnson, JOHNSON & ASSOCIATES, Arlington, Virginia, for Petitioner. Michael F. Hertz, Acting Assistant Attorney General, David V. Bernal, Assistant Director, Colette J. Winston, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Abdul Raman Bangura, a native and citizen of Sierra Leone, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reopen. We have reviewed the record and the Board's order and find that the Board did not abuse its discretion in denying the motion as untimely. See 8 C.F.R. § 1003.2(c)(2) (2008); Mosere v. Mukasey, 552 F.3d 397, 400 (4th Cir. 2009) ("[I]t is impossible for us to say that the BIA abused its discretion in finding Mosere's motion [to reopen], filed more than eleven years after the order of voluntary departure, untimely."). We therefore deny the petition in part. We note that we lack jurisdiction over Bangura's challenge to the Board's refusal to exercise its sua sponte authority to reopen, see id. at 400-01, and therefore dismiss this portion of the petition for review.

Accordingly, we deny in part and dismiss in part the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED IN PART
AND DISMISSED IN PART