

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1392

GHAFOUR ASEMANI, a/k/a Billy G. Asemani,

Petitioner,

v.

MERRICK B. GARLAND, Attorney General,

Respondent.

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

Submitted: September 8, 2022

Decided: September 12, 2022

Before HARRIS and RICHARDSON, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Billy G. Asemani, Petitioner Pro Se. Daniel I. Smulow, Trial Attorney, Brandon Thomas Callahan, Office of Immigration Litigation, Civil Division, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ghafour Asemani, a native and citizen of Iran, petitions for review of an order of the Immigration Judge (IJ) directing that he be removed to Iran. The Attorney General moves to dismiss the petition for review for lack of jurisdiction on the ground that the petition was untimely filed. The IJ's decision was issued July 16, 2004. Asemani had 30 days from this date to timely file a petition for review in this Court. *See* 8 U.S.C. § 1252(b)(1). This time period is “jurisdictional in nature and must be construed with strict fidelity to [its] terms.” *Stone v. INS*, 514 U.S. 386, 405 (1995). It is “not subject to equitable tolling.” *Id.*

The petition for review, dated March 30, 2022, and received by this court on April 11, 2022, was filed after the expiration of the 30-day deadline. We accordingly grant the motion to dismiss the petition for review for lack of jurisdiction. We deny Asemani's motion for appointment of counsel. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED