

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 07-2279

Yacoub Quomsieh; Muna Quomsieh;	*	
Hanin Quomsieh; Nadeen Quomsieh;	*	
Balquees Quomsieh; Jeries Quomsieh;	*	
Danial Quomsieh,	*	
	*	
Petitioners,	*	
	*	Petition for Review from the
v.	*	Board of Immigration Appeals.
	*	
	*	[UNPUBLISHED]
Michael B. Mukasey, Attorney General	*	
of the United States of America,	*	
	*	
Respondent.	*	

Submitted: April 14, 2008
Filed: April 18, 2008

Before MURPHY, COLLOTON, and SHEPHERD, Circuit Judges.

PER CURIAM.

Yacoub Quomsieh and his family, Palestinian Christians from the West Bank, seek review of an order of the Board of Immigration Appeals (BIA) denying their motion to reopen their removal proceedings. They contend that changed circumstances—that the Hamas organization has taken over control of the Palestinian

Authority—warrant the grant of an untimely motion to reopen. We deny the petition for review.

The Quomsiehs entered the United States in 2001, and, in January 2002, they filed their petitions for asylum, withholding of removal, and relief under the Convention Against Torture. An Immigration Judge (IJ) denied their petitions, and the BIA affirmed the IJ's decision. A panel of this court denied the Quomsiehs' petitions for review in March 2007. See Quomsieh v. Gonzales, 479 F.3d 602 (8th Cir. 2007).

The BIA did not abuse its discretion in finding that the Quomsiehs failed to establish changed circumstances which would justify reopening the removal proceedings. Alemu v. Mukasey, 509 F.3d 907, 909 (8th Cir. 2007) (standard of review). “[M]otions to reopen are disfavored because they undermine the government’s legitimate interest in finality” Id. Thus, the Attorney General retains considerable discretion over such motions, and that discretion is abused only where the BIA “gives no rational explanation for its decision; departs from its established policies without explanation; relies on impermissible factors or legal error; or ignores or distorts the record evidence.” Id. (citations omitted).

The evidence the Quomsiehs submitted with their motion includes articles discussing the Hamas takeover of the Palestinian Authority. In reviewing this evidence and a State Department report on the status of religious relations in Israel and the Occupied Territories, the BIA concluded that while there were “tensions between Christians and Muslims . . . the new Palestinian Authority (PA) government ha[d] taken steps to eliminate religious incitement.” This finding is a reasonable interpretation of the evidence presented by the Quomsiehs and from the State Department report, and the evidence does not show that the territory has undergone a material change in circumstances.

Accordingly, we deny the petition for review.