

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 09-12384
Non-Argument Calendar

Agency No. A075-380-561

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT APRIL 13, 2010 JOHN LEY CLERK

HASSAN BYE JAGNE,

Petitioner,

versus

U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of a Decision of the
Board of Immigration Appeals

(April 13, 2010)

Before WILSON, PRYOR and ANDERSON, Circuit Judges.

PER CURIAM:

Hassan Bye Jagne petitions this Court for review of the decision of the

Board of Immigration Appeals that affirmed the denial of his motion to reopen his removal proceedings. 8 U.S.C. § 1229a(c)(7). Jagne concedes that his motion is untimely, but Jagne argues that he is entitled to relief based on his marriage to a citizen of the United States. Jagne's change in personal circumstances does not fall within an exception to the 90-day deadline. See id. § 1229a(c)(7)(C). The Board did not abuse its discretion by dismissing Jagne's appeal. See Jiang v. U.S. Att'y Gen., 568 F.3d 1252, 1256 (11th Cir. 2009). We deny Jagne's petition.

PETITION DENIED.