

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-2108

GJERGJ PLLUMAJ, a/k/a George Plumaj; FILE PLLUMAJ, a/k/a
File Plumaj,

Petitioners,

v.

JEFFERSON B. SESSIONS III, Attorney General,

Respondent.

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

Submitted: March 7, 2017

Decided: March 16, 2017

Before WILKINSON, TRAXLER, and DUNCAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Michael Paul DiRaimondo, DIRAIMONDO & MASI, LLP, Melville, New
York, for Petitioners. Benjamin C. Mizer, Principal Deputy
Assistant Attorney General, Linda S. Wernery, Assistant
Director, Thankful T. Vanderstar, 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Unpublished opinions are not binding precedent in this circuit.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:

Gjergj and File Pllumaj, natives and citizens of Albania, petition for review of an order of the Board of Immigration Appeals (Board) denying their third motion to reopen. We deny the petition for review.

We review the denial of a motion to reopen for abuse of discretion. 8 C.F.R. § 1003.2(b) (2016); Mosere v. Mukasey, 552 F.3d 397, 400 (4th Cir. 2009). The "denial of a motion to reopen is reviewed with extreme deference, given that motions to reopen are disfavored because every delay works to the advantage of the deportable alien who wishes merely to remain in the United States." Sadhvani v. Holder, 596 F.3d 180, 182 (4th Cir. 2009) (internal quotation marks omitted). The motion "shall state the new facts that will be proven at a hearing to be held if the motion is granted and shall be supported by affidavits or other evidentiary material." 8 C.F.R. § 1003.2(c)(1) (2016). It "shall not be granted unless it appears to the Board that evidence sought to be offered is material and was not available and could not have been discovered or presented at the former hearing." Id. We will "reverse the denial of such a motion only if the [Board] acted arbitrarily, irrationally, or contrary to law." Prasad v. Holder, 776 F.3d 222, 225 (4th Cir. 2015).

We have reviewed the record and considered the Petitioners' arguments and conclude that the Board did not abuse its

discretion in denying reopening. Accordingly, we deny the petition for review. 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.

PETITION DENIED