

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1498

JOHNNY GUTLIP AUER WITHERSPOON,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A28-072-610)

Submitted: September 20, 2006

Decided: October 19, 2006

Before WILLIAMS, KING, and DUNCAN, Circuit Judges.

Petition dismissed by unpublished per curiam opinion.

Johnny Gutlip Auer Witherspoon, Appellant Pro Se. M. Jocelyn Lopez Wright, Song E. Park, 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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Johnny Gutlip Auer Witherspoon, a native and citizen of Liberia, petitions for review of a 2001 final administrative order of removal. Pursuant to 8 U.S.C. § 1252(b)(1) (2000), "[t]he petition for review must be filed not later than thirty days after the date of the final order of removal." 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). Witherspoon's petition was filed over four years after the order of removal; thus, his petition is untimely. Because we lack jurisdiction to review the merits of Witherspoon's appeal, we dismiss 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 DISMISSED