

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1585

SANYA FEMI,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A75-780-584)

Submitted: July 31, 2007

Decided: August 13, 2007

Before TRAXLER, KING, and DUNCAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Oscar L. Amorow, AMOROW & TACHIE-MENSON, P.A., Hyattsville, Maryland, for Petitioner. Peter D. Keisler, Assistant Attorney General, Jeffrey J. Bernstein, R. Alexander Goring, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sanya Femi, a native and citizen of Nigeria, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reopen. Femi claims reopening was warranted because he received insufficient instructions and notice by the immigration judge.

Our review of the Board's denial of a motion to reopen is extremely deferential, since immigration statutes do not contemplate reopening and the applicable regulations disfavor these motions. Barry v. Gonzales, 445 F.3d 741, 744-45 (4th Cir. 2006), cert. denied, 127 S. Ct. 1147 (2007). This Court will reverse the Board's denial of a motion to reopen only if it is "arbitrary, capricious, or contrary to law." Id. at 745.

We find no abuse of discretion in the Board's affirmation of the immigration judge's denial of Femi's motion to reopen based on his defective application. We therefore deny 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 DENIED