UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1906

REUBEN OLUGBENGA OKE,

Petitioner,

versus

ALBERTO R. GONZALES, U. S. Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration
Appeals. (A75-367-360)

Submitted: February 5, 2007   Decided: April 4, 2007

Before WILKINSON, MOTZ, and KING, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Ralph J. DiPietro, THE LAW OFFICE OF RALPH J. DIPIETRO, PC,
Hyattsville, Maryland, for Petitioner. Peter D. Keisler, Assistant
Attorney General, M. Jocelyn Lopez Wright, Assistant Director, John
P. Devaney, Office of Immigration Litigation, UNITED STATES
DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

PER CURIAM:

Reuben Olugbenga Oke, a native and citizen of Nigeria, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reopen. We deny the petition for review.

We review the denial of a motion to reopen or reconsider with extreme deference and only for an abuse of discretion. Stewart v. INS, 181 F.3d 587, 595 (4th Cir. 1999). Such motions are especially disfavored "in a deportation proceeding, where, as a general matter, every delay works to the advantage of the deportable alien who wishes merely to remain in the United States." INS v. Doherty, 502 U.S. 314, 323 (1992). A motion to reopen "must be filed no later than 90 days after the date on which the final administrative decision was rendered."* 8 C.F.R. § 1003.2(c)(2) (2006).

Because Oke filed the motion to reopen beyond the ninety-day period for filing such motions, we find the Board did not abuse its discretion. 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 the court and argument would not aid the decisional process.

PETITION DENIED

---

*None of the exceptions to the ninety-day period apply.