

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1309

MONA MOHAMMED ABDU,

Petitioner,

versus

MICHAEL B. MUKASEY, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A95-899-263)

Submitted: December 10, 2007 Decided: December 27, 2007

Before MICHAEL, GREGORY, and SHEDD, Circuit Judges.

Petition denied in part and dismissed in part by unpublished per curiam opinion.

Israel W. Gobena, GOBENA & DE WALT, Saint Paul, Minnesota, for Petitioner. Peter D. Keisler, Assistant Attorney General, Shelley R. Goad, Senior Litigation Counsel, Dalin R. Holyoak, OFFICE OF IMMIGRATION LITIGATION, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Mona Mohammed Abdu, a native and citizen of Ethiopia, petitions for review of an order of the Board of Immigration Appeals (Board) denying as untimely and numerically barred her motion to reopen immigration proceedings. We have reviewed the record and the Board's order and find that the Board did not abuse its discretion in denying the motion to reopen. See Barry v. Gonzales, 445 F.3d 741, 744 (4th Cir. 2006). Further, we lack jurisdiction to review the Board's refusal to invoke its sua sponte authority to reopen proceedings. See Zhao Quon Chen v. Gonzales, 492 F.3d 153, 155 (2d Cir. 2007). Accordingly, we deny in part and dismiss in part 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 IN PART
AND DISMISSED IN PART