

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-1617**

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BEAUVAIS BELLEVUE,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney General,

Respondent.

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

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Submitted: December 31, 2008

Decided: January 27, 2009

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Before MICHAEL, SHEDD, and DUNCAN, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Arnedo S. Valera, LAW OFFICES OF VALERA & ASSOCIATES, Fairfax, Virginia, for Petitioner. Gregory G. Katsas, Assistant Attorney General, William C. Peachey, Assistant Director, Mona Maria Yousif, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Beauvais Bellevue, a native and citizen of Haiti, petitions for review of an order of the Board of Immigration Appeals ("Board") affirming the immigration judge's order denying sua sponte reopening of his removal proceedings and declining to exercise its discretion to do the same. We lack jurisdiction to review the Board's discretionary authority to sua sponte reopen proceedings. See Lenis v. U.S. Att'y Gen., 525 F.3d 1291, 1292-93 (11th Cir. 2008) (collecting cases); Tamenut v. Mukasey, 521 F.3d 1000, 1004 (8th Cir. 2008) (same). 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