

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1645

JAMES SONG NKUO,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

Submitted: June 22, 2009

Decided: July 7, 2009

Before WILKINSON and NIEMEYER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Peter Nyoh, PETER NYOH & ASSOCIATES, Silver Spring, Maryland, for Petitioner. Michael F. Hertz, Acting Assistant Attorney General, Linda S. Wernery, Assistant Director, Janice K. Redfern, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James Song Nkuo, a native and citizen of Cameroon, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reconsider the denial of his second motion to reopen. We deny the petition for review.

We review the Board's denial of a motion to reconsider with extreme deference and only for abuse of discretion. 8 C.F.R. § 1003.2(a) (2009); Jean v. Gonzales, 435 F.3d 475, 481 (4th Cir. 2006); Stewart v. INS, 181 F.3d 587, 595 (4th Cir. 1999). The Board's broad discretion will be reversed only if its decision "lacked a rational explanation, departed from established policies, or rested on an impermissible basis." Jean, 435 F.3d at 483 (internal quotation marks and citations omitted).

A motion for reconsideration asserts the Board made an error in its earlier decision, Jean, 435 F.3d at 482-83, and requires the movant to specify that error. 8 C.F.R. § 1003.2(b)(1) (2009); In re Cerna, 20 I. & N. Dec. 399, 402 (B.I.A. 1991) (noting that a motion to reconsider questions a decision for alleged errors in appraising the facts and the law). "To be within a mile of being granted, a motion for reconsideration has to give the tribunal to which it is addressed a reason for changing its mind." Ahmed v. Ashcroft, 388 F.3d 247, 249 (7th Cir. 2004). Motions that simply repeat

contentions that have already been rejected are insufficient to convince the Board to reconsider a previous decision. Id.

We find the Board did not abuse its discretion in denying the motion to reconsider. 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