

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1688

REMI CHIDE NJOKU,

Petitioner,

v.

ERIC H. HOLDER, JR., United States Attorney General; MICHAEL CHERTOFF, Secretary, U.S. Department of Homeland Security; EMILIO GONZALEZ, Director, U.S. Citizenship and Immigration Services; GREGORY L. COLLETT, District Director, Baltimore District Office, U.S. Citizenship and Immigration Services; CALVIN MCCORMICK, Field Office Director, Office of Detention and Removal Operations, Department of Homeland Security Immigration and Customs Enforcement; GEORGE WILLIAM MAUGANS, III, Chief Counsel, Department of Homeland Security Immigration and Customs Enforcement,

Respondents.

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

Submitted: March 23, 2009

Decided: April 6, 2009

Before WILKINSON, GREGORY, and SHEDD, Circuit Judges.

Petition denied in part and dismissed in part by unpublished per curiam opinion.

Remi Chide Njoku, Petitioner Pro Se. Carol Federighi, Senior Litigation Counsel, Tyrone Sojourner, Jem Colleen Sponzo, M. Jocelyn Lopez Wright, UNITED STATES DEPARTMENT OF JUSTICE,

Washington, D.C.; George William Mougans, III, Special Assistant
United States Attorney, Baltimore, Maryland, for Respondents.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Remi Chide Njoku, a native and citizen of Nigeria, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reopen removal proceedings. We have reviewed the administrative record and the Board's order and find no abuse of discretion in the Board's decision declining to grant reopening. See 8 C.F.R. § 1003.2(a), (c) (2008). We therefore deny the petition for review in part for the reasons stated by the Board. See In re: Njoku (B.I.A. May 20, 2008). With regard to Njoku's challenge to the Board's refusal to exercise its sua sponte authority, we find that we are without jurisdiction to review that aspect of the Board's decision, and thus dismiss the petition for review with respect to that claim. See Mosere v. Mukasey, 552 F.3d 397, 400-01 (4th Cir. 2009).

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