UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

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No. 08-2072

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KOIKOI GUILAVOGUI,

                    Petitioner,

          v.

ERIC H. HOLDER, JR., 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: April 27, 2010   Decided: May 12, 2010

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Before WILKINSON, NIEMEYER, and MOTZ, Circuit Judges.

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Petition denied in part and dismissed in part by unpublished per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

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Christopher N. Lasch, Michael J. Wishnie, JEROME N. FRANK LEGAL
SERVICES ORGANIZATION, New Haven, Connecticut, for Petitioner.
Tony West, Assistant Attorney General, Thomas B. Fatouros,
Senior Litigation Counsel, Jeffrey R. Meyer, Office of
Immigration Litigation, 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Unpublished opinions are not binding precedent in this circuit.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:

Koikoi Guilavogui, a native and citizen of Guinea, petitions for review of an order of the Board of Immigration Appeals 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) (2009). We therefore deny the petition for review in part for the reasons stated by the Board. See In re: Guilavogui (B.I.A. Sept. 4, 2008). With regard to Guilavogui's claim that the Board should have exercised its sua sponte authority to reopen his removal proceedings, we find that we are without jurisdiction to review any such determination, 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 deny Guilavogui's motion to transfer the petition for review to the district court, and 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

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