

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1483

CALISTER SIMANGWI,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

Submitted: February 4, 2014

Decided: February 12, 2014

Before SHEDD and FLOYD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition denied in part and dismissed in part by unpublished per curiam opinion.

Ronald D. Richey, LAW OFFICE OF RONALD D. RICHEY, Rockville, Maryland, for Petitioner. Stuart F. Delery, Assistant Attorney General, Song Park, Senior Litigation Counsel, Joseph A. O'Connell, 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Unpublished opinions are not binding precedent in this circuit.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:

Calister Simangwi, a native and citizen of Cameroon, petitions for review of an order of the Board of Immigration Appeals ("Board") denying her motion to reopen. We have reviewed the administrative record and the Board's order and find that the Board did not abuse its discretion in denying the motion to reopen as untimely and number-barred. See 8 C.F.R. § 1003.2(c)(2) (2013). We therefore deny the petition for review in part for the reasons stated by the Board. See In re: Simangwi (B.I.A. Mar. 13, 2013). We lack jurisdiction to review the Board's refusal to exercise its sua sponte authority to reopen and therefore dismiss this portion of the petition for review. See Mosere v. Mukasey, 552 F.3d 397, 400-01 (4th Cir. 2009). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED IN PART
AND DISMISSED IN PART