

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1698

YOSEPH NIGATU BEZABEH,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

Submitted: August 29, 2013

Decided: September 3, 2013

Before DUNCAN, AGEE, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Yoseph Nigatu Bezabeh, Petitioner Pro Se. Channah F. Norman,
Jason Wisecup, U. S. DEPARTMENT OF JUSTICE, Washington, DC, for
Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Yoseph Nigatu Bezabeh petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reopen. We dismiss the petition for review because it is untimely.

Bezabeh had thirty days from the date of the Board's April 16, 2013 order from which to file a timely petition for review. See 8 U.S.C. § 1252(b)(1) (2006). Because the petition was filed on May 29, 2013, it is untimely. The thirty day time period is "jurisdictional in nature and must be construed with strict fidelity to [its] terms." Stone v. INS, 514 U.S. 386, 405 (1995). It is "not subject to equitable tolling." Id. Thus, this court does not have jurisdiction to review the Board's order denying the motion to reopen.

Accordingly, we dismiss the petition for review. 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.

DISMISSED