

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1741

OSCAR GUEVARA BELTRAN,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

Submitted: February 7, 2014

Decided: February 19, 2014

Before KEENAN and WYNN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition dismissed by unpublished per curiam opinion.

W. Rob Heroy, GOODMAN, CARR PLLC, Charlotte, North Carolina, for Petitioner. Stuart F. Delery, Assistant Attorney General, David V. Bernal, Assistant Director, Jesse M. Bless, 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Unpublished opinions are not binding precedent in this circuit.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:

Oscar Guevara Beltran, a native and citizen of Mexico, petitions for review of an order of the Board of Immigration Appeals ("Board") dismissing his appeal from the immigration judge's decision preterminating his application for cancellation of removal. Because the petition for review was not filed within thirty days of the Board's order, we dismiss for lack of jurisdiction.

The Board's decision was issued on May 8, 2013. Pursuant to 8 U.S.C. § 1252(b)(1) (2012), Guevara Beltran had thirty days, or until Friday, June 7, 2013, to timely file the petition for review. The Supreme Court has held that this 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. Because Guevara Beltran did not file his petition until Monday, June 10, 2013, the petition for review was untimely filed.

Accordingly, we dismiss the petition for review for lack of jurisdiction. 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 DISMISSED