

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1087

JUAN PAOLO PAGLINAWAN,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

Submitted: March 6, 2014

Decided: April 3, 2014

Before DUNCAN, KEENAN, and DIAZ, Circuit Judges.

Petition dismissed by unpublished per curiam opinion.

Juan Paolo Paglinawan, Petitioner Pro Se. Daniel Eric Goldman, Senior Litigation Counsel, Rebecca Hoffberg Phillips, 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Unpublished opinions are not binding precedent in this circuit.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:

Juan Paolo Paglinawan, a native and citizen of the Philippines, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motions to reopen and for reconsideration. Because the petition for review was not filed within thirty days of the Board's order, the petition must be dismissed for lack of jurisdiction.

The Board entered the order on December 31, 2013. Pursuant to 8 U.S.C. § 1252(b)(1) (2012), Paglinawan had thirty days, or until January 30, 2014, to timely file a petition for review. 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 Paglinawan did not file his petition until January 31, 2014, it is untimely filed. Under Rule 25(a)(2) of the Federal Rules of Appellate Procedure, filings are not timely if not filed with the clerk of the court within the time fixed for such a filing.

Accordingly, we dismiss the petition for review for lack of jurisdiction. We deny leave to proceed in forma pauperis. 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 DISMISSED