

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1769

MARLON KELDO GREEN,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

Submitted: November 25, 2014

Decided: December 18, 2014

Before SHEDD, DIAZ, and FLOYD, Circuit Judges.

Petition dismissed by unpublished per curiam opinion.

Marlon Keldo Green, Petitioner Pro Se. Jessica Dawgert, Allison Frayer, 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Unpublished opinions are not binding precedent in this circuit.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:

Marlon Keldo Green, a native and citizen of Jamaica, petitions for review of an order of the Board of Immigration Appeals ("Board") dismissing his appeal from the immigration judge's order denying his applications for asylum, withholding of removal, and withholding under the Convention Against Torture. Because the petition for review was not filed within thirty days of the Board's order, we grant the Attorney General's motion to dismiss and dismiss the petition for lack of jurisdiction.

The Board entered the order on June 18, 2014. Pursuant to 8 U.S.C. § 1252(b)(1) (2012), Green had thirty days, or until July 18, 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, 4055 (1995). It is "not subject to equitable tolling." Id. Because Green did not file his petition until August 1, 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 grant the Attorney General's motion to dismiss and dismiss the petition for review for lack of jurisdiction. We deny Green's motion for leave to proceed in

forma pauperis and his motion to file his appeal brief late. 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