

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 16-1748**

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SHQIPRON KOLGECI,

Petitioner,

v.

JEFFERSON B. SESSIONS, III, Attorney General,

Respondent.

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

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Submitted: February 17, 2017

Decided: February 23, 2017

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Before KING, THACKER, and HARRIS, Circuit Judges.

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Petition dismissed in part and denied in part by unpublished per curiam opinion.

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Gregory Marotta, Vernon, New Jersey, for Petitioner. Benjamin C. Mizer, Principal Deputy Assistant Attorney General, Emily Anne Radford, Assistant Director, Holly M. Smith, Senior Litigation Counsel, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Shqipron Kolgeci, a native of Yugoslavia and a citizen of Kosovo, petitions for review of an order of the Board of Immigration Appeals (Board) dismissing his appeal from the immigration judge's decision denying his requests for asylum, withholding of removal, and protection under the Convention Against Torture. We dismiss in part and deny in part the petition for review.

Kolgeci first challenges the agency's determination that his asylum application is time-barred and that no exceptions applied to excuse the untimeliness. See 8 U.S.C. § 1158(a)(2)(B) (2012); 8 C.F.R. § 1208.4(a)(2) (2016). We lack jurisdiction to review this determination pursuant to 8 U.S.C. § 1158(a)(3) (2012), and find that Kolgeci has not raised any claims that would fall under the exception set forth in 8 U.S.C. § 1252(a)(2)(D) (2012). See Gomis v. Holder, 571 F.3d 353, 358-59 (4th Cir. 2009). Accordingly, we dismiss the petition for review with respect to Kolgeci's asylum claim.

Kolgeci next disputes the agency's finding that he failed to establish past persecution. We have thoroughly reviewed the record, including the transcript of Kolgeci's merits hearing, his asylum application, and all supporting evidence. We conclude that the record evidence does not compel a ruling contrary to any of the administrative findings of fact, see 8

U.S.C. § 1252(b)(4)(B) (2012), and that substantial evidence supports the Board's decision. See INS v. Elias-Zacarias, 502 U.S. 478, 481 (1992). Therefore, we deny the petition for review in part for the reasons stated by the Board. See In re Kolgeci (B.I.A. June 9, 2016).

Accordingly, we dismiss in part and deny in part 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.

PETITION DISMISSED IN PART  
AND DENIED IN PART