

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-2411

ERIC RONALDO GARAY VILLEGAS,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney General,

Respondent.

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

Submitted: August 9, 2017

Decided: August 16, 2017

Before MOTZ, DUNCAN, and THACKER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Jay S. Marks, LAW OFFICES OF JAY S. MARKS, LLC, Silver Spring, Maryland, for Petitioner. Chad A. Readler, Acting Assistant Attorney General, Nancy Friedman, Senior Litigation Counsel, Kevin J. Conway, 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Unpublished opinions are not binding precedent in this circuit.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:

Eric Ronaldo Garay Villegas, a native and citizen of El Salvador, petitions for review of an order of the Board of Immigration Appeals (Board) denying his motion to reopen. We have reviewed the Board's order, in conjunction with the administrative record, and conclude that the Board did not abuse its discretion in denying the motion as untimely. *See* 8 C.F.R. § 1003.2(c)(2) (2017). We therefore deny the petition for review substantially* for the reasons stated by the Board. *See In re Garay Villegas* (B.I.A. Nov. 17, 2016). 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 DENIED

* Even assuming that Garay Villegas substantially complied with the requirements set forth in *In re Lozada*, 19 I. & N. Dec. 637 (B.I.A. 1988), as he contends, substantial evidence supports the Board's alternative conclusion that "the face of the record itself does not demonstrate ineffective assistance of counsel."