

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-2446

REHEMA MUSOKE,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney General,

Respondent.

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

Submitted: May 16, 2017

Decided: May 24, 2017

Before WILKINSON, MOTZ, and AGEE, Circuit Judges.

Petition dismissed in part and denied in part by unpublished per curiam opinion.

Rehema Musoke, Petitioner Pro Se. Stefanie N. Hennes, 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Unpublished opinions are not binding precedent in this circuit.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:

Rehema Musoke, a native and citizen of Uganda, petitions for review of an order of the Board of Immigration Appeals (Board) denying her second motion to reopen. For the reasons set forth below, we dismiss in part and deny in part the petition for review.

Before this court, Musoke argues that she was denied a full and fair hearing on her applications for relief in violation of the Due Process Clause and that she was entitled to reopening based upon prior counsel's alleged ineffective assistance. Only the Board's denial of Musoke's second motion to reopen is properly before us, however, as she failed to timely petition this court for review of either the Board's decision of December 11, 2015 (upholding the immigration judge's determination that Musoke abandoned her applications for relief) or its decision of March 23, 2016 (denying her pro se motion to reopen based on ineffective assistance of counsel). *See* 8 U.S.C. § 1252(b)(1) (2012); *Stone v. INS*, 514 U.S. 386, 405 (1995). Accordingly, we now limit our review to the Board's denial of Musoke's second motion to reopen, and we dismiss the petition for review to the extent she challenges the earlier decisions. We also dismiss the petition for review to the extent Musoke challenges the Board's refusal to exercise its sua sponte authority to reopen. *See Mosere v. Mukasey*, 552 F.3d 397, 400-01 (4th Cir. 2009) (holding that the court lacks jurisdiction to review the Board's refusal to sua sponte reopen proceedings).

Turning to the Board's denial of Musoke's motion to reopen, we have reviewed Musoke's claims in conjunction with the administrative record and conclude that the Board did not abuse its discretion in denying the motion as untimely and number-barred. *See* 8 C.F.R. § 1003.2(a), (c) (2016); *Mosere v. Mukasey*, 552 F.3d 397, 400 (4th Cir. 2009).

Accordingly, we deny the petition for review in part for the reasons stated by the Board. *See In re Musoke* (B.I.A. Nov. 30, 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 DISMISSED IN PART
AND DENIED IN PART*