

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-1208

LUIS A. SANCHEZ,

Petitioner,

v.

MATTHEW G. WHITAKER, Acting Attorney General,

Respondent.

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

Submitted: November 13, 2018

Decided: November 21, 2018

Before NIEMEYER and MOTZ, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Ronald D. Richey, LAW OFFICE OF RONALD D. RICHEY, Rockville, Maryland, for
Petitioner. Chad A. Readler, Acting Assistant Attorney General, Song Park, Senior
Litigation Counsel, Brendan P. Hogan, Office of Immigration Litigation, Civil Division,
UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Luis A. Sanchez, a native and citizen of Honduras, petitions for review of an order of the Board of Immigration Appeals denying his motion to reopen. We have reviewed Sanchez's claims in conjunction with the administrative record. We conclude that the Board did not abuse its discretion in denying the motion because Sanchez failed to show that the new evidence he provided was previously unavailable. *See* 8 C.F.R. § 1003.2(c)(1) (2018); *Onyeme v. INS*, 146 F.3d 227, 234 (4th Cir. 1998). Further, under these circumstances, we lack jurisdiction to review the Board's discretionary decision not to reopen *sua sponte*. *See* 8 C.F.R. § 1003.2(a) (2018); *Mosere v. Mukasey*, 552 F.3d 397, 400–01 (4th Cir. 2009). We find that Sanchez's remaining claims are without merit.

Accordingly, we deny 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 DENIED