

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 18-1212**

---

SEKOUBA FATY,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney General,

Respondent.

---

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

---

Submitted: October 31, 2018

Decided: November 6, 2018

---

Before GREGORY, Chief Judge, WILKINSON, Circuit Judge, and TRAXLER, Senior Circuit Judge.

---

Petition denied in part and dismissed in part by unpublished per curiam opinion.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, Terri J. Scadron, Assistant Director, Corey L. Farrell, 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Unpublished opinions are not binding precedent in this circuit.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:

Sekouba Faty, a native and citizen of Mali, petitions for review of an order of the Board of Immigration Appeals (Board) denying as untimely his motion to reopen. We have reviewed the administrative record and the Board's order and find no abuse of discretion. *See* 8 C.F.R. § 1003.2(a), (c)(2) (2018). We therefore deny the petition for review in part for the reasons stated by the Board. *See In re Faty* (B.I.A. Jan. 29, 2018).

We lack jurisdiction to review the Board's refusal to exercise its sua sponte authority to reopen and, therefore, dismiss this portion of the petition for review. *See Lawrence v. Lynch*, 826 F.3d 198, 206-07 (4th Cir. 2016); *Mosere v. Mukasey*, 552 F.3d 397, 400-01 (4th Cir. 2009) (collecting cases). 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 IN PART  
AND DISMISSED IN PART*