

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 18-1928**

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MAXIMO EDUARDO CLAURE-ARANIBAR,

Petitioner,

v.

MATTHEW G. WHITAKER, Acting 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: December 12, 2018

Decided: December 20, 2018

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

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Dismissed by unpublished per curiam opinion.

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Maximo Eduardo Claure-Aranibar, Petitioner Pro Se. Tracey McDonald, 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Unpublished opinions are not binding precedent in this circuit.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:

Maximo Eduardo Claire-Aranibar, a native and citizen of Bolivia, seeks review of an order of the Board of Immigration Appeals (Board) dismissing his appeal from the Immigration Judge's denial of his application for adjustment of status. The Attorney General moves to dismiss the petition for review for lack of jurisdiction on the ground that the petition was untimely filed. The Board's decision was issued on June 28, 2018. Claire-Aranibar had 30 days from this date, or until July 30, 2018,\* to timely file a petition for review in this Court. *See* 8 U.S.C. § 1252(b)(1) (2012). This time period is "jurisdictional in nature and must be construed with strict fidelity to [its] terms." *Stone v. INS*, 514 U.S. 386, 405 (1995). It is "not subject to equitable tolling." *Id.*

The petition for review, dated August 9, 2018, was filed on August 13, 2018, two weeks after the expiration of the deadline. We accordingly grant the motion to dismiss the petition for review for lack of jurisdiction. 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.

*DISMISSED*

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\* The petition was due on July 28, 2018; however, that date fell on a Saturday, pushing the filing deadline to Monday July 30, 2018. *See* Fed. R. App. P. 26(a)(1).