

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-1761

OLGA LETICIA CALDERON-BARRIOS,

Petitioner,

v.

MERRICK B. GARLAND, Attorney General,

Respondent.

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

Submitted: June 24, 2021

Decided: June 29, 2021

Before AGEE and WYNN, Circuit Judges, and SHEDD, Senior Circuit Judge.

Dismissed in part, denied in part by unpublished per curiam opinion.

Robert J. Harris, Woodbridge, Virginia, for Petitioner. Jeffery Bossert Clark, Assistant Attorney General, Anthony P. Nicastro, Assistant Director, Linda Y. Cheng, Kristen H. Blosser, 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Unpublished opinions are not binding precedent in this circuit.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:

Olga Leticia Calderon-Barrios, a native and citizen of Guatemala, petitions for review of an order of the Board of Immigration Appeals (Board) denying her motion to reconsider the denial of her untimely motion to reopen. To the extent Calderon-Barrios challenges the Board's refusal to reconsider its denial of her request to reopen her proceedings sua sponte, we lack jurisdiction to review this discretionary determination. *See Mosere v. Mukasey*, 552 F.3d 397, 400-01 (4th Cir. 2009). We therefore dismiss the petition for review in part with respect to this claim. As for the remainder of her claims, we have reviewed the administrative record and discern no abuse of discretion in the Board's denial of her motion. *See Narine v. Holder*, 559 F.3d 246, 249 (4th Cir. 2009). Accordingly, we deny the petition for review in part for the reasons stated by the Board. *See In re Calderon-Barrios* (B.I.A. June 11, 2020). 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 IN PART,
DENIED IN PART*