

United States Court of Appeals
For the Eighth Circuit

No. 15-1299

Angel Alex Cun-Luc

Petitioner

v.

Loretta E. Lynch, Attorney General of the United States

Respondent

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

Submitted: February 16, 2016
Filed: February 25, 2016
[Unpublished]

Before LOKEN, MURPHY, and BYE, Circuit Judges.

PER CURIAM.

Guatemalan citizen Angel Alex Cun-Luc petitions for review of an order of the Board of Immigration Appeals (BIA) denying his second motion to reopen proceedings. We find no abuse of discretion in the denial of the motion, see Martinez v. Lynch, 785 F.3d 1262, 1264-65 (8th Cir. 2015) (reviewing for abuse of discretion denial of motion to reopen); Averianova v. Holder, 592 F.3d 932, 936 (8th Cir. 2010)

(reviewing BIA's decision regarding changed country conditions under highly deferential abuse of discretion standard). The BIA did not err in determining that Cun-Luc's second motion to reopen was untimely and number-barred. See 8 U.S.C. § 1229a(c)(7)(A), (C)(i) (generally party may file one motion to reopen proceedings; motion to reopen must be filed within 90 days of date order of removal becomes administratively final); 8 C.F.R. § 1003.23(b)(1) (same). While there is a changed-country-conditions exception to the filing deadline and numerical limitation for motions to reopen, see 8 U.S.C. § 1229a(7)(A), (C)(ii); 8 C.F.R. § 1003.2(c)(3)(i)-(ii), 1003.23(b)(4)(i), we agree with the BIA that Cun-Luc failed to show he qualified for the exception, see Zhong Qin Zheng v. Mukasey, 523 F.3d 893, 895-96 (8th Cir. 2008) (discussing exception). The petition for review is denied.
