

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 10 2020

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

FREDERICK VERNON WILLIAMS,

No. 14-72532

Petitioner,

Agency No. A205-405-848

v.

MEMORANDUM\*

WILLIAM P. BARR, Attorney General,

Respondent.

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

Submitted December 31, 2019\*\*

Before: FARRIS, TROTT, and SILVERMAN, Circuit Judges.

Frederick Vernon Williams, a native and citizen of Belize, petitions pro se for review of the Board of Immigration Appeals' ("BIA") decision dismissing his appeal from an immigration judge's ("IJ") denial of his motion to reopen removal proceedings. Our jurisdiction is governed by 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to reopen and review de novo questions

---

\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

of law. *Bonilla v. Lynch*, 840 F.3d 575, 581 (9th Cir. 2016). We deny the petition for review.

We are not persuaded by Williams’s contentions that the BIA rested its decision denying sua sponte reopening on a legal or constitutional error. We lack jurisdiction to consider Williams’s unexhausted contention that when he admitted the charge that he “is not a U.S. citizen”, he only intended to waive appeal of the IJ’s bond determination. *See Tijani v. Holder*, 628 F.3d 1071, 1080 (9th Cir. 2010) (“We lack jurisdiction to review legal claims not presented in an alien’s administrative proceedings before the BIA.”). Accordingly, the BIA did not err in denying sua sponte reopening. *See Bonilla*, 840 F.3d at 588 (court’s jurisdiction to consider the agency’s decision not to sua sponte reopen is limited to reviewing the reasoning behind the decision for legal or constitutional error).

To the extent Williams contends that his underlying removal proceedings did not comport with due process because of a delay in bringing proceedings, we do not consider these contentions because this petition is not timely as to those proceedings. *See* 8 U.S.C. § 1252(b)(1).

**PETITION FOR REVIEW DENIED.**