

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-1316**

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WOLDEMICHAEL BEKELE TESSEMA,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

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On Petition for Review of an Order of the Board of Immigration Appeals. (A78-151-813)

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Submitted: October 4, 2004

Decided: October 15, 2004

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Before WILKINSON, WILLIAMS, and MOTZ, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Oti W. Nwosu, Arthur D. Wright, III, THE WRIGHT LAW NETWORK, Washington, D.C., for Petitioner. Peter D. Keisler, Assistant Attorney General, Papu Sandhu, Senior Litigation Counsel, Joanne E. Johnson, 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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Woldemichael Bekele Tessema, a native and citizen of Ethiopia of Eritrean descent, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reopen. We have reviewed the record and deny the petition for review.

Our review of the denial of a motion to reopen is extremely deferential, and the decision will not be reversed absent abuse of discretion. Stewart v. INS, 181 F.3d 587, 595 (4th Cir. 1999). Such motions are disfavored. INS v. Doherty, 502 U.S. 314, 323 (1992).

We find the Board did not abuse its discretion in finding the motion to reopen was untimely and failed to establish changed circumstances. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED