

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1458

CHRISTIAN T. MBOUENDE,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A72-190-414)

Submitted: March 18, 2005

Decided: March 28, 2005

Before WILLIAMS, MICHAEL, and DUNCAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Steffanie J. Lewis, INTERNATIONAL BUSINESS LAW FIRM, Washington, D.C., for Petitioner. Peter D. Keisler, Assistant Attorney General, Christopher C. Fuller, Senior Litigation Counsel, Lyle D. Jentzer, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Christian T. Mbouende, a native and citizen of Cameroon, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reopen immigration proceedings. We have reviewed the record and the Board's order and find that the Board did not abuse its discretion in denying the motion as untimely filed. See 8 C.F.R. § 1003.2(c)(2) (2004); INS v. Doherty, 502 U.S. 314, 323-24 (1992). We further find that we lack jurisdiction to review Mbouende's claim that the Board should have exercised its sua sponte power to reopen his proceedings. Enriquez-Alvarado v. Ashcroft, 371 F.3d 246, 249-50 (5th Cir. 2004); Belay-Gebbru v. INS, 327 F.3d 998, 1000-01 (10th Cir. 2003); Calle-Vujiles v. Ashcroft, 320 F.3d 472, 474-75 (3d Cir. 2003); Ekimian v. INS, 303 F.3d 1153, 1159 (9th Cir. 2002); Luis v. INS, 196 F.3d 36, 40-41 (1st Cir. 1999).

Accordingly, we deny the petition for review. 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