

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-2008

BEATRICE V. WILES,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A70-799-675)

Submitted: April 20, 2005

Decided: May 31, 2005

Before WILLIAMS, KING, and GREGORY, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Ephraim Tahir Mella, Philadelphia, Pennsylvania, for Petitioner.
Peter D. Keisler, Assistant Attorney General, David V. Bernal,
Assistant Director, Anthony C. Payne, Office of Immigration
Litigation, 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Unpublished opinions are not binding precedent in this circuit.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:

Beatrice V. Wiles, a native and citizen of Liberia, petitions for review of an order of the Board of Immigration Appeals ("Board") denying her motion to reopen. We deny the petition for review.

Insofar as Wiles challenges the Board's decision not to sua sponte reopen her case, we find we are without jurisdiction. See Belay-Gebru 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). The Board also noted Wiles' motion to reopen was untimely as it was filed almost seven years after the Board closed the case. In her opening brief to this court, Wiles does not challenge that finding. Accordingly, we decline to review that decision. See United States v. Al-Hamdi, 356 F.3d 564, 571 n.8 (4th Cir. 2004); Edwards v. City of Goldsboro, 178 F.3d 231, 241 n.6 (4th Cir. 1999).

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