

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1863

ABDALLA SAID ALLY,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A79-483-802)

Submitted: February 23, 2007

Decided: April 6, 2007

Before MOTZ and TRAXLER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Fatai A. Suleman, AMITY, KUM & SULEMAN, P.A., Greenbelt, Maryland, for Petitioner. Peter D. Keisler, Assistant Attorney General, James E. Grimes, Senior Litigation Counsel, Dimitri N. Rocha, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Abdalla Said Ally, a native and citizen of Tanzania, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reopen. We review the denial of a motion to reopen for abuse of discretion. INS v. Doherty, 502 U.S. 314, 323-24 (1992); Barry v. Gonzales, 445 F.3d 741, 744 (4th Cir. 2006), cert. denied, 127 S. Ct. 1147 (2007).

The denial of a motion to reopen must be reviewed with extreme deference, since immigration statutes do not contemplate reopening and the applicable regulations disfavor such motions. M.A. v. INS, 899 F.2d 304, 308 (4th Cir. 1990) (en banc). This court reverses the Board's denial of such a motion only if the denial is "arbitrary, capricious, or contrary to law." Barry, 445 F.3d at 745. We find the Board did not abuse its discretion in denying the motion to reopen.

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