

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 11-1478**

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ABAYNESH DESTA ZEHERYE,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

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Submitted: November 15, 2011

Decided: November 17, 2011

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Before NIEMEYER and KEENAN, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Petition dismissed by unpublished per curiam opinion.

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Jason A. Dzubow, DZUBOW, SARAPU & PILCHER, PLLC, Washington,  
D.C., for Petitioner. Tony West, Assistant Attorney General,  
Thomas B. Fatouros, Senior Litigation Counsel, Ann M. Welhaf,  
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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Abaynesh Desta Zeherye, a native and citizen of Ethiopia, petitions for review of an order of the Board of Immigration Appeals ("Board") denying her motion for reconsideration. Because we conclude that Zeherye has abandoned any challenge to the Board's order, we dismiss the petition for review.

Zeherye did not file a timely petition for review from the September 15, 2010 order dismissing her appeal from the immigration judge's decision. Her brief, however, is almost entirely an attack on the Board's dismissal order and the immigration judge's ruling. This court does not have jurisdiction to review that order. See 8 U.S.C. § 1252(b)(1) (2006) (stating that the petition for review must be filed no later than thirty days after the date of the final order of removal). It is well-settled that the subsequent filing with the Board of a motion to reconsider does not toll the time for filing a petition for review in the Court of Appeals. See Stone v. INS, 514 U.S. 386, 394, 405-06 (1995).

The denial of a motion to reconsider is reviewed for abuse of discretion. 8 C.F.R. § 1003.2(a) (2011); Narine v. Holder, 559 F.3d 246, 249 (4th Cir. 2009); Jean v. Gonzales, 435 F.3d 475, 481 (4th Cir. 2006). Under Rule 28 of the Federal Rules of Appellate Procedure, "the argument [section of the

brief] . . . must contain . . . appellant's contentions and the reasons for them, with citations to the authorities and parts of the record on which the appellant relies." Furthermore, the "[f]ailure to comply with the specific dictates of [Rule 28] with respect to a particular claim triggers abandonment of that claim on appeal." Edwards v. City of Goldsboro, 178 F.3d 231, 241 n.6 (4th Cir. 1999); see also Ngarurih v. Ashcroft, 371 F.3d 182, 189 n.7 (4th Cir. 2004) (failure to challenge the denial of relief under the CAT results in abandonment of that challenge). In her brief, Zeherye fails to raise a challenge to the Board's order that is the proper subject of this petition for review.

Because Zeherye has abandoned any challenge to the Board's order denying her motion to reconsider and this court does not have jurisdiction to review the Board's order dismissing the appeal from the immigration judge's decision, we dismiss 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 DISMISSED