

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

VAKHTANG GATSHETSHILADZE,
Petitioner,

v.

U.S. IMMIGRATION & NATURALIZATION
SERVICE; JOHN ASHCROFT,
Respondents.

No. 02-1859

On Petition for Review of an Order of the
Board of Immigration Appeals.
(A74-670-563)

Submitted: April 17, 2003

Decided: May 1, 2003

Before WILKINSON, GREGORY, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

COUNSEL

Steven H. Schulman, Claudia M. O'Brien, Kirsten N. Stolte, Washington, D.C., for Petitioner. Robert D. McCallum, Jr., Assistant Attorney General, Donald E. Keener, Deputy Director, John Andre, Senior Litigation Counsel, Office of Immigration Litigation, Civil Division, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondents.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Vakhtang Gatshetshiladze, a native and citizen of Georgia, petitions this court for review of a decision of the Board of Immigration Appeals (Board) denying his application for asylum and withholding of deportation, as well as an order denying his motion to reopen or reconsider that decision. We deny the petition.

The petition for review is untimely as to the March 19, 2002, order that dismissed the appeal from the immigration judge's denial of Gatshetshiladze's application for asylum and withholding of deportation. *See Stone v. INS*, 514 U.S. 386, 405-06 (1995) (holding time for filing petition for review is jurisdictional, and is not affected by filing motion to reconsider). Therefore, we lack jurisdiction to review that order. The petition for review is timely as to the Board's denial of the motion to reopen or reconsider. In his brief, Gatshetshiladze has made no arguments relevant to the denial of that motion, focusing instead on the March 19 order. Therefore, he has abandoned any such claims. *Yousefi v. INS*, 260 F.3d 318, 326 (4th Cir. 2001). However, we have reviewed the record and the Board's order and find that the Board did not abuse its discretion in denying the motion. *See* 8 C.F.R. § 3.2(b)(2) (2002); *INS v. Doherty*, 502 U.S. 314, 323-24 (1992).

We deny as untimely the petition for review as to the Board's order of March 19, 2002. We deny the petition for review of the motion to reopen or reconsider, concluding that the Board did not abuse its discretion in denying it. 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