

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1578

HOSSEIN EGHTEGARI,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

Submitted: January 20, 2011

Decided: February 14, 2011

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

Petition denied in part; dismissed in part by unpublished per curiam opinion.

Ladan Mirbagheri Smith, MIRBAGHERI & SMITH, LLP, Rockville, Maryland, for Petitioner. Tony West, Assistant Attorney General, William C. Peachey, Assistant Director, Ada E. Bosque, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Hossein Eghtedari, a native and citizen of Iran, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his motion to reopen proceedings. We have reviewed the administrative record and the Board's order and find that the Board did not abuse its discretion in denying the motion to reopen. See 8 C.F.R. § 1003.2(a) (2010). We therefore deny the petition for review in part for the reasons stated by the Board. See In re: Eghtedari (B.I.A. Apr. 27, 2010).

We lack jurisdiction to review Eghtedari's claim that the Board failed to assess "the availability and use of technological devices to identify political activists" as Eghtedari failed to raise this argument before the Board. See 8 U.S.C. § 1252(d)(1) (2006); Massis v. Mukasey, 549 F.3d 631, 638-40 (4th Cir. 2008). We therefore dismiss this portion of the petition for review.

Accordingly, we deny in part and dismiss in part 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 IN PART;
DISMISSED IN PART