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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>DINGYU QIANG,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>MICHAEL B. MUKASEY, Attorney General,</p> <p style="text-align: center;">Respondent.</p>
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No. 04-72531

Agency No. A095-179-421

MEMORANDUM\*

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

Submitted January 13, 2009\*\*

Before: O'SCANNLAIN, BYBEE, and CALLAHAN, Circuit Judges.

Dingyu Qiang, a native and citizen of China, petitions for review of the Board of Immigration Appeals' order summarily affirming an immigration judge's

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

(“IJ”) decision denying his application for asylum. Our jurisdiction is governed by 8 U.S.C. § 1252, and we dismiss the petition for review.

We lack jurisdiction to review the IJ’s determination that Qiang failed to establish changed circumstances to excuse the untimely filing of his asylum application because the underlying facts are disputed. *Cf. Ramadan v. Gonzales*, 479 F.3 646, 650 (9th Cir. 2007) (per curiam).

**PETITION FOR REVIEW DISMISSED.**