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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CARLOS RODRIGUEZ CEJA,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 07-73110

Agency No. A075-097-230

MEMORANDUM*

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

Submitted June 16, 2009**

Before: PAEZ, TALLMAN, and N.R. SMITH, Circuit Judges.

Carlos Rodriguez Ceja, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's decision denying his motion to reopen removal

* 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).

proceedings conducted in absentia. Our jurisdiction is governed by 8 U.S.C. § 1252. Reviewing for abuse of discretion, *Perez v. Mukasey*, 516 F.3d 770, 773 (9th Cir. 2008), we deny in part and dismiss in part the petition for review.

The agency did not abuse its discretion in denying Rodriguez Ceja's motion to reopen where the record established that Rodriguez Ceja was personally served with the Notice of Hearing, and Rodriguez Ceja did not allege that he missed his hearing due to exceptional circumstances. *See* 8 C.F.R. § 1003.23(b)(4)(ii).

We lack jurisdiction to review the BIA's November 26, 2007 and January 22, 2008 orders because the petition for review is not timely as to those orders. *See Singh v. INS*, 315 F.3d 1186, 1188 (9th Cir. 2003); *see also Rodriguez Ceja v. Mukasey*, No. 07-74695 (9th Cir. March 14, 2008); *Rodriguez Ceja v. Mukasey*, No. 08-72090 (9th Cir. Oct. 6, 2008).

Petitioner's remaining contentions are unpersuasive.

PETITION FOR REVIEW DENIED in part; DISMISSED in part.