

DEC 07 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>WEIQIANG ZHENG,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p>Respondent.</p>

No. 06-73851

Agency No. A095-449-436

MEMORANDUM*

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

Submitted November 17, 2009**

Before: ALARCÓN, TROTT, and TASHIMA, Circuit Judges.

Weiqiang Zheng, a native and citizen of China, petitions pro se for review of the Board of Immigration Appeals’ (“BIA”) order rejecting his motion to reopen for lack of jurisdiction. Our jurisdiction is governed by 8 U.S.C. § 1252.

* 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).

Reviewing de novo questions of law, *Singh v. INS*, 213 F.3d 1050, 1052 (9th Cir. 2000), we deny in part and dismiss in part the petition for review.

The BIA properly rejected Zheng's motion to reopen for lack of jurisdiction. *See Matter of Mladineo*, 14 I. & N. Dec. 591 (BIA 1974).

To the extent Zheng challenges the immigration judge's ("IJ") February 23, 2004, final order of removal, the IJ's November 18, 2004, order denying his motion to reopen, or the BIA's April 26, 2005, order dismissing his appeal as untimely, we lack jurisdiction because this petition is not timely as to those orders. *Singh v. INS*, 315 F.3d 1186, 1188 (9th Cir. 2003).

PETITION FOR REVIEW DENIED in part; DISMISSED in part.