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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

KUNDAN SINGH, Petitioner, v. ERIC H. HOLDER, Jr., Attorney General, Respondent.	No. 08-70052 Agency No. A073-416-554 MEMORANDUM*

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

Submitted September 13, 2010**

Before: SILVERMAN, CALLAHAN, and N.R. SMITH, Circuit Judges.

Kundan Singh, a native and citizen of India, petitions for review of the Board of Immigration Appeals' ("BIA") order denying his motion to reopen. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the

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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 concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

denial of a motion to reopen. *Iturribarria v. INS*, 321 F.3d 889, 894 (9th Cir. 2003). We deny the petition for review.

Singh contends the BIA erred in denying his "motion to reopen due to 'changed circumstances' pursuant to 8 U.S.C. § 1158(a)(2)(D)" because the motion was exempt from the time limitations for motions to reopen. Contrary to Singh's contention, this argument is foreclosed by *Chen v. Mukasey*, 524 F.3d 1028, 1031-33 (9th Cir. 2008).

We reject Singh's contention that the BIA's order was inadequate because the BIA's order contained "a statement of its reasons for denying the petitioner relief adequate for us to conduct our review." *See Ghaly v. INS*, 58 F.3d 1425, 1430 (9th Cir. 1995).

PETITION FOR REVIEW DENIED.