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MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

BOK YEO KIM, AKA Kim Yeo Lee,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 08-75234

Agency No. A078-014-209

MEMORANDUM*

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

Argued and Submitted January 12, 2012
San Francisco, California

Before: WALLACE and M. SMITH, Circuit Judges, and RAKOFF, Senior District
Judge.**

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

** The Honorable Jed S. Rakoff, Senior District Judge for the Southern
District Court of New York, sitting by designation.

Bok Yeo Kim petitions for review from a decision of the Board of Immigration Appeals (Board) denying her motion to reopen. We have jurisdiction under 8 U.S.C. § 1252, and we deny the petition for review.

Kim's motion was properly considered by the Board as a motion for reconsideration because it sought "to correct alleged errors of fact or law" by introducing a case decided before Kim filed her opening brief. *See Doissaint v. Mukasey*, 538 F.3d 1167, 1170 (9th Cir. 2008); *see also* 8 U.S.C. § 1229a(c)(6)(C), (c)(7)(B). Kim conceded at oral argument that if the motion was a motion for reconsideration, it was untimely. *See* 8 U.S.C. § 1229a(c)(6)(B). Because the motion was a motion for reconsideration, it was properly denied as untimely.

PETITION FOR REVIEW DENIED.