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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>DILMAN MOLINA SALGUERO,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 12-70302

Agency No. A070-640-004

MEMORANDUM*

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

Submitted August 14, 2013**

Before: SCHROEDER, GRABER, and PAEZ, Circuit Judges.

Dilman Molina Salguero, a native and citizen of Guatemala, petitions pro se for review of the Board of Immigration Appeals’ (“BIA”) order dismissing as untimely his appeal from an immigration judge’s removal order. We have jurisdiction under 8 U.S.C. § 1252, and we deny the petition for review.

* 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).

The BIA properly dismissed Salguero's appeal as untimely because the record reflects that the BIA received Salguero's Notice of Appeal 45 days after the appeal deadline and Salguero has not provided any explanation for the late filing.

See 8 C.F.R. § 1003.38(b)-(c).

PETITION FOR REVIEW DENIED.