

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

SEP 27 2013

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

MANJIT SINGH,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 11-73218

Agency No. A076-359-587

MEMORANDUM*

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

September 24, 2013**

Before: RAWLINSON, N.R. SMITH, and CHRISTEN, Circuit Judges.

Manjit 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 denial of a motion to reopen, *Mohammed v. Gonzales*, 400 F.3d 785, 791 (9th Cir. 2005),

* 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).

and we deny the petition for review.

In his opening brief, Singh fails to raise, and therefore has waived, any challenge to the BIA's dispositive determination that his motion to reopen was untimely. *See Rizk v. Holder*, 629 F.3d 1083, 1091 n.3 (9th Cir. 2011). In light of this disposition, we need not reach Singh's remaining challenges to the BIA's denial of his motion to reopen.

Singh's contention that the BIA should have remanded his case to the immigration judge in 2006 while his second visa petition was pending is without merit because he did not request that the BIA remand for that purpose until 2011.

PETITION FOR REVIEW DENIED.