

OCT 25 2013

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ENRIQUE PUENTES-IBARRA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 12-70437

Agency No. A024-341-618

MEMORANDUM*

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

Submitted October 15, 2013**

Before: FISHER, GOULD, and BYBEE, Circuit Judges.

Enrique Puentes-Ibarra, a native and citizen of Mexico, petitions pro se for review of an order of the U.S. Department of Homeland Security (“DHS”) reinstating his prior order of removal. We dismiss 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).

We lack jurisdiction to review DHS’s reinstatement order because Puentes-Ibarra filed his Petition for Review beyond the statutory 30-day filing deadline. *See* 8 U.S.C. § 1252(b)(1) (“The petition for review must be filed not later than 30 days after the date of the final order of removal.”); *see also Singh v. INS*, 315 F.3d 1186, 1188 (9th Cir. 2003) (“[T]he ‘[t]ime for filing a review petition begins to run when the [agency] complies with the terms of federal regulations [governing service of the agency’s decision].’” (citation omitted)). Puentes-Ibarra’s opening brief does not contain any assertion of nonreceipt of the reinstatement order. *See Tijani v. Holder*, 628 F.3d 1071, 1080 (9th Cir. 2010) (“[W]e generally will not take up arguments not raised in an alien’s opening brief before this court.”).

PETITION FOR REVIEW DISMISSED.