

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JUN 2 2016

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

GURDEEP SINGH,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 13-72402

Agency No. A099-403-677

MEMORANDUM*

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

Submitted May 24, 2016**

Before: REINHARDT, W. FLETCHER, and OWENS, Circuit Judges.

Gurdeep Singh, a native and citizen of India, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his application for asylum. Our jurisdiction is governed by 8 U.S.C. § 1252. We review de novo questions of law and for substantial

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

evidence the agency's factual findings. *Tamang v. Holder*, 598 F.3d 1083, 1088 (9th Cir. 2010). We dismiss the petition for review.

We lack jurisdiction to review the agency's conclusion that Singh did not establish extraordinary circumstances excusing the delay in filing his asylum application because the underlying facts are disputed. *See Gasparyan v. Holder*, 707 F.3d 1130, 1134 (9th Cir. 2013) (dismissing for lack of jurisdiction petitioner's challenge to the agency's extraordinary circumstances determination because it rested on an underlying factual dispute about whether petitioner's filing delay was caused by mental disability or a lack of money and language ability). We reject any contention that the agency ignored facts, *see Fernandez v. Gonzales*, 439 F.3d 592, 603 (9th Cir. 2006), or applied the wrong legal standard to the extraordinary circumstances claim, *see Gasparyan*, 707 F.3d at 1134-35.

PETITION FOR REVIEW DISMISSED.