

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JAN 22 2018

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

QI LI,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

No. 13-73142

Agency No. A087-603-742

MEMORANDUM*

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

Submitted January 16, 2018**

Before: REINHARDT, TROTT, and HURWITZ, Circuit Judges.

Qi Li, a native and citizen of China, petitions pro se for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's ("IJ") decision denying his application for asylum. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the agency's

* 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).

application of the extraordinary circumstances exception to undisputed facts. *Singh v. Holder*, 656 F.3d 1047, 1051 (9th Cir. 2011). We review de novo claims of due process violations in immigration proceedings. *Jiang v. Holder*, 754 F.3d 733, 738 (9th Cir. 2014). We deny the petition for review.

The record does not compel the conclusion that Li established extraordinary circumstances to excuse his untimely-filed asylum application. *See* 8 C.F.R. §§ 1208.4(a)(5). Thus, we deny the petition for review.

We reject, as unsupported by the record, Li's claim that the IJ was biased. *See Lata v. INS*, 204 F.3d 1241, 1246 (9th Cir. 2000) (requiring error to prevail on a due process claim).

In light of our disposition, we do not reach Li's other contentions regarding the sufficiency of his corroborative evidence.

PETITION FOR REVIEW DENIED.