

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 16 2018

FOR THE NINTH CIRCUIT

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

GRIGOR GRIGORYAN, and LIANA
UZUNYAN,

Petitioners,

v.

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

No. 13-71044

Agency Nos. A097-871-710
A077-997-564

MEMORANDUM*

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

Submitted April 11, 2018**

Before: SILVERMAN, PAEZ, and OWENS, Circuit Judges.

Grigor Grigoryan and Liana Uzunyan, natives and citizens of Armenia, petition for review of the Board of Immigration Appeals' ("BIA") decision summarily dismissing their appeal of an immigration judge's decision granting voluntary departure. Our jurisdiction is governed by 8 U.S.C. 1252. We dismiss

* 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).

in part and deny in part the petition for review.

We lack jurisdiction to consider petitioners' challenges to the BIA's 2010 order denying their claims for asylum, withholding of removal, and relief under the Convention Against Torture, because this petition for review is not timely as to that order. *See* 8 U.S.C. § 1252(b)(1) (petition for review must be filed no later than 30 days after the date of the final order of removal); *Pinto v. Holder*, 648 F.3d 976, 986 (9th Cir. 2011) (a BIA order denying relief from removal, but remanding for voluntary departure proceedings, is a final order of removal); *Rizo v. Lynch*, 810 F.3d 688, 691 (9th Cir. 2016) (clarifying that *Abdisalan v. Holder*, 774 F.3d 517 (9th Cir. 2014), does not disrupt the *Pinto* line of cases).

In their opening brief, petitioners do not challenge the BIA's 2013 order summarily dismissing their appeal. *See Corro-Barragan v. Holder*, 718 F.3d 1174, 1177 n.5 (9th Cir. 2013) (failure to contest issue in opening brief resulted in waiver).

PETITION FOR REVIEW DISMISSED in part; DENIED in part.