

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 23 2019

FOR THE NINTH CIRCUIT

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

JIAN JUN XIE,

Petitioner,

v.

WILLIAM P. BARR, Attorney General,

Respondent.

No. 17-71933

Agency No. A205-323-455

MEMORANDUM*

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

Submitted September 18, 2019**

Before: FARRIS, TASHIMA, and NGUYEN, Circuit Judges.

Jian Jun Xie, a native and citizen of China, petitions pro se for review of the Board of Immigration Appeals' ("BIA") order summarily dismissing his appeal from an immigration judge's removal order. We have jurisdiction under 8 U.S.C. § 1252. We deny the petition for review.

In his opening brief, Xie fails to raise, and therefore has waived, any

* 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).

challenge to the BIA's grounds for summarily dismissing his appeal under 8 C.F.R. § 1003.1(d)(2)(i)(A) and (E). *See Rizk v. Holder*, 629 F.3d 1083, 1091 n.3 (9th Cir. 2011) (issues not raised in an opening brief are waived).

We do not reach Xie's opening brief contentions because our review is limited to the BIA's order. *See Hernandez-Cruz v. Holder*, 651 F.3d 1094, 1109 (9th Cir. 2011) (review is limited to the actual grounds relied upon by the BIA).

PETITION FOR REVIEW DENIED.