

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 11 2020

FOR THE NINTH CIRCUIT

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

BANGALLY FATTY,

Petitioner,

v.

WILLIAM P. BARR, Attorney General,

Respondent.

Nos. 18-72918
19-71929

Agency No. A097-119-552

MEMORANDUM*

On Petitions for Review of Orders of the
Board of Immigration Appeals

Submitted September 8, 2020**

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

In these consolidated petitions for review, Bangally Fatty, a native and citizen of the Gambia, petitions for review of the Board of Immigration Appeals' ("BIA") orders denying his motion to reconsider and terminate and his motion to reopen. We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law. *Toor v. Lynch*, 789 F.3d 1055, 1059 (9th Cir. 2015). We deny

* 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).

the petitions for review.

As to No. 18-72918, Fatty's contention that the immigration judge lacked jurisdiction over his proceedings is foreclosed by *Aguilar Fermin v. Barr*, 958 F.3d 887, 889 (9th Cir. 2020) (notice to appear "need not contain time, date, and place information to vest an immigration court with jurisdiction if such information is provided before the hearing").

As to No. 19-71929, Fatty has not raised, and therefore waives, any challenge to the BIA's denial of his motion to reopen as untimely. *See Lopez-Vasquez v. Holder*, 706 F.3d 1072, 1079-80 (9th Cir. 2013) (issues not specifically raised and argued in an opening brief are waived). Because this determination is dispositive, we do not address Fatty's contentions regarding prima facie eligibility for relief. *See Simeonov v. Ashcroft*, 371 F.3d 532, 538 (9th Cir. 2004) (the courts and the agency are not required to make findings on issues the decision of which is unnecessary to the results).

PETITIONS FOR REVIEW DENIED.