

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 25 2025

FOR THE NINTH CIRCUIT

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

CARLOS ALBERTO PEDROZA-
BLANCAS,

Petitioner,

v.

PAMELA BONDI, Attorney General,

Respondent.

No. 24-5010

Agency No.
A073-803-122

MEMORANDUM*

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

Submitted July 15, 2025**

Before: SILVERMAN, TALLMAN, and BUMATAY, Circuit Judges.

Carlos Alberto Pedroza-Blancas, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals' ("BIA") order denying his motion to reopen and reconsider removal proceedings. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to

* 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).

reopen or reconsider. *Mohammed v. Gonzales*, 400 F.3d 785, 791 (9th Cir. 2005).

We deny in part and dismiss in part the petition for review.

The BIA did not abuse its discretion in denying Pedroza-Blancas' motion to reopen and reconsider as untimely where it was filed over twenty years after the final order of removal, *see* 8 U.S.C. § 1229a(c)(6)(B) (motion to reconsider must be filed within 30 days of the final removal order), (c)(7)(C)(i) (motion to reopen must be filed within 90 days of the final removal order), and Pedroza-Blancas did not show that any statutory or regulatory exception applies, *see* 8 C.F.R. § 1003.2(c)(3) (listing exceptions).

As to the BIA's order declining to reopen removal proceedings sua sponte, we have jurisdiction to review this discretionary determination only for legal or constitutional error. *See Lona v. Barr*, 958 F.3d 1225, 1227 (9th Cir. 2020). We find no legal or constitutional error underlying the BIA's decision.

We do not consider the materials Pedroza-Blancas references in the opening brief that are not part of the administrative record. *See Fisher v. INS*, 79 F.3d 955, 963-64 (9th Cir. 1996) (en banc).

The motion to stay removal is denied. The temporary stay of removal is lifted.

PETITION FOR REVIEW DENIED in part; DISMISSED in part.