

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-3072

Rodolfo Romero-Reyes,

Petitioner,

v.

Alberto Gonzales,

Respondent.

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

[UNPUBLISHED]

Submitted: June 14, 2007
Filed: August 22, 2007

Before MELLOY, SMITH, and GRUENDER, Circuit Judges.

PER CURIAM.

In 2000, immigration authorities charged Rodolfo Romero-Reyes as a removable alien. Romero-Reyes conceded removability and applied for cancellation of removal. An immigration judge denied his application for cancellation of removal because Romero-Reyes had not “establishe[d] that removal would result in exceptional and extremely unusual hardship” to Romero-Reyes or his family. 8 U.S.C. § 1229b(b)(1)(D). Counsel for Romero-Reyes filed a notice of appeal with the Board of Immigration Appeals (“the Board”), but he did not pursue the case. The Board dismissed the appeal as abandoned on July 22, 2005. Romero-Reyes subsequently obtained new counsel and successfully moved to reinstate his appeal.

On appeal to the Board, Romero-Reyes argued that his prior counsel's ineffective assistance at his removal hearing denied him a full and fair opportunity to present his claim. The Board rejected this argument in a decision dated July 13, 2006.

Under 8 U.S.C. § 1252(b)(1), Romero-Reyes had thirty days in which to petition for judicial review of the Board decision. Romero-Reyes did not file the present petition for review until Tuesday, August 15, 2006. His petition for review was untimely, and we therefore lack jurisdiction to hear it. Stone v. INS, 514 U.S. 386, 405 (1995). Accordingly, we dismiss the petition for review.
