

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 07-3912

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Jose Galvis Castano,	*	
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Petitioner,	*	
	*	Petition for Review of
v.	*	an Order of the Board
	*	of Immigration Appeals.
Eric H. Holder, Jr., <sup>1</sup> Attorney General	*	
of the United States,	*	[UNPUBLISHED]
	*	
Respondent.	*	

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Submitted: May 21, 2009  
Filed: May 28, 2009

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Before WOLLMAN, MURPHY, and MELLOY, Circuit Judges.

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PER CURIAM.

Colombian citizen Jose Castano petitions for review of an order of the Board of Immigration Appeals (BIA) denying his motion to reconsider. We deny his petition.

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<sup>1</sup>Eric H. Holder, Jr., has been appointed to serve as Attorney General of the United States, and is substituted as respondent pursuant to Federal Rule of Appellate Procedure 43(c).

This court reviews the BIA's denial of a motion to reconsider under an abuse-of-discretion standard that is more deferential than the ordinary standard for reviewing agency decisions. See Esenwah v. Ashcroft, 378 F.3d 763, 765 (8th Cir. 2004). We conclude that the BIA did not abuse its discretion: Castano did not assert facts or arguments beyond those already considered by the BIA; the initial BIA decision articulated a rational and supported explanation for denying relief; and there is no indication that the BIA departed from established policies, evinced discriminatory intent, or distorted Castano's claims. See Strato v. Ashcroft, 388 F.3d 651, 655 (8th Cir. 2004) (motion to reconsider must give tribunal reason to change its mind; BIA does not abuse its discretion by refusing to reconsider arguments already rejected); Esenwah, 378 F.3d at 765 (abuse of discretion is found only when BIA's decision lacks rational explanation, ignores relevant factors, departs from established policies, invidiously discriminates against particular race or group, or distorts important aspects of claim).

The petition for review is denied.

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