

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

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No. 08-2462

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	*	[UNPUBLISHED]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

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Submitted: October 16, 2009  
Filed: December 18, 2009

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Before MURPHY, COLLOTON, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Xi Dan Tang petitions for review of an order of the Board of Immigration Appeals (BIA) denying her December 2007 motion to reopen. After careful review, we conclude the BIA acted within its discretion both in denying the motion to reopen as untimely because it was filed more than 90 days after the BIA's November 2002 final order, and in refusing to waive the time limitation because Tang failed to show

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<sup>1</sup>Pursuant to Federal Rule of Appellate Procedure 43(c)(2), Attorney General Eric H. Holder, Jr., is automatically substituted for Michael B. Mukasey as Respondent.

changed country conditions since her 2001 removal hearing. See 8 U.S.C. § 1229a(c)(7)(C)(i), (ii); Li Yun Lin v. Mukasey, 526 F.3d 1164, 1165-66 (8th Cir. 2008); Zheng v. Mukasey, 509 F.3d 869, 871-72 (8th Cir. 2007). Accordingly, we deny the petition.

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