

United States Court of Appeals
For the Eighth Circuit

No. 13-2299

Jose Soreque-Sandoval

Petitioner

v.

Eric H. Holder, Jr., Attorney General of United States

Respondent

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

Submitted: March 27, 2014

Filed: April 4, 2014

[Unpublished]

Before MURPHY, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

Mexican citizen Jose Soreque-Sandoval petitions for review of an order of the Board of Immigration Appeals (BIA), upholding an immigration judge's denial of his motion to reopen removal proceedings, and denying his request to remand his case to the immigration judge. Upon careful review, we conclude that we lack jurisdiction to review the agency's decision not to exercise its discretionary "sua sponte"

authority to reopen the removal proceedings. See Tamenut v. Mukasey, 521 F.3d 1000, 1001, 1004-05 (8th Cir. 2008) (en banc) (per curiam). We further conclude that the BIA did not abuse its discretion either in upholding the immigration judge's determination that Soreque-Sandoval's motion to reopen was untimely, see Valencia v. Holder, 657 F.3d 745, 748-49 (8th Cir. 2011) (BIA did not abuse its discretion in upholding denial of untimely motion to reopen), or in denying his request for a remand, see Clifton v. Holder, 598 F.3d 486, 490-93 (8th Cir. 2010) (denial of request for remand is reviewed for abuse of discretion). Accordingly, we deny the petition for review. See 8th Cir. R. 47B.
