

FILED

December 13, 2004

Charles R. Fulbruge III
Clerk

UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT

03-60609
Summary Calendar

FELIPE GUILLERMO PENA LAVERDE,

Petitioner,

versus

JOHN ASHCROFT, U.S. ATTORNEY GENERAL,

Respondent.

**Petition for Review of an Order of the
Board of Immigration Appeals
(BIA No. A79 470 556)**

Before JONES, BARKSDALE, and PRADO, Circuit Judges.

PER CURIAM:*

Felipe Guillermo Pena Laverde petitions for review of the Board of Immigration Appeals' (BIA) denial of his motion to reopen and for reconsideration of the Immigration Judge's (IJ) decision. The IJ denied Laverde's application for asylum and withholding of removal. Laverde contends the IJ erred because there was unequivocal evidence that he will be persecuted due to his membership in a particular social group if he is returned to Colombia.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Laverde's petition for review was timely only as to, and sought review only of, the BIA's denial of his motion to reopen and for reconsideration. See **Stone v. INS**, 514 U.S. 386, 395 (1995). Accordingly, we have jurisdiction to review only whether BIA's denial was an abuse of discretion. See **Karimian-Kaklaki v. INS**, 997 F.2d 108, 113 (5th Cir. 1993).

Laverde has not addressed the reasons advanced in the BIA's denial of his motion to reopen and for reconsideration. Review of this issue is, therefore, waived. See **Soadjede v. Ashcroft**, 324 F.3d 830, 832 (5th Cir. 2003); see also **Brinkmann v. Dallas County Deputy Sheriff Abner**, 813 F.2d 744, 748 (5th Cir. 1987).

DENIED