

**FILED**

July 20, 2007

Charles R. Fulbruge III  
Clerk

UNITED STATES COURT OF APPEALS  
FIFTH CIRCUIT

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No. 06-60865  
Summary Calendar

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YAN LIAN,

Petitioner,

versus

ALBERTO R. GONZALES, U.S. ATTORNEY GENERAL,

Respondent.

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Petition for Review of an Order of the  
Board of Immigration Appeals  
(A77 322 415)

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Before DAVIS, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Yan Lian, a native and citizen of China, petitions for review of an order of the Board of Immigration Appeals (BIA) denying her untimely motion to reopen removal proceedings. Lian contends her motion to reopen: met the requirements set forth in 8 C.F.R. § 1003.2(c)(3)(ii); and, in the alternative, warranted equitable tolling of the filing period. Lian has failed to show that the BIA

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

abused its discretion by denying her motion to reopen. See **Lara v. Trominski**, 216 F.3d 487, 496 (5th Cir. 2000).

**DENIED**