

May 26, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-60876
Summary Calendar

MARIA TERESA RODRIGUEZ-UCLES,

Petitioner,

versus

JOHN ASHCROFT, U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A27 947 889

Before JONES, BENAVIDES and CLEMENT, Circuit Judges.

PER CURIAM:*

Maria Teresa Rodriguez-Ucles ("Uncles") petitions for review of the Board of Immigration Appeals' ("BIA") denial of her motion to reconsider its dismissal of her appeal. Rodriguez's appeal was dismissed for failure to file a separate written brief or statement after indicating on the notice of appeal that one would be filed. In her petition for review, Rodriguez asserts that she is entitled to an adjustment in status and argues at length

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

that this court has jurisdiction over her claims pursuant to 28 U.S.C. § 2241. As Rodriguez has not filed a 28 U.S.C. § 2241 petition for writ of habeas corpus, this court does not have jurisdiction pursuant to that statute. Rodriguez offers no argument regarding the denial of her motion for reconsideration. Therefore, she has waived its review. See Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993).

Accordingly, the petition for review is **DENIED**.