

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-60302
Summary Calendar

MOHAMMED ABDIRAHMAN,

Petitioner,

versus

IMMIGRATION AND NATURALIZATION SERVICE,

Respondent.

- - - - -
Petition for Review of an Order of the
Board of Immigration Appeals
A74-672-922
- - - - -

June 24, 1999

Before HIGGINBOTHAM, JONES, and DENNIS, Circuit Judges.

PER CURIAM:*

This is a petition for review for the Board of Immigration Appeals' (BIA) order refusing to accept for certification Mohammed Abdirahman's appeal from the Immigration Judge's denial of Abdirahman's motion to reopen deportation proceedings. The BIA's summary dismissal of the appeal as untimely was not an abuse of discretion. See 8 C.F.R. §§ 3.1(d), 3.3(a)(1), 3.38(b), and 3.38(c); see also Arzanipour v. INS, 866 F.2d 743, 745 (5th Cir. 1989). Abdirahman's argument that the BIA should have certified

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

his appeal for review despite its untimeliness for the reasons counsel offered in her affidavit lacks merit. Abdirahman's petition for review of the BIA's order is DENIED.