

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

April 18, 2019

Elisabeth A. Shumaker
Clerk of Court

IBRAHIM SAWANEH,

Petitioner,

v.

WILLIAM P. BARR, United States
Attorney General,

Respondent.

No. 19-9518
(Petition for Review)

ORDER AND JUDGMENT*

Before **LUCERO, BACHARACH, and PHILLIPS**, Circuit Judges.

Ibrahim Sawaneh has filed a pro se petition for review from a Board of Immigration Appeals' decision denying his requests for asylum, withholding of removal, and relief under the Convention Against Torture. The Board issued its decision on February 21, 2019. Mr. Sawaneh's petition for review was due in this court within 30 days of the Board's decision. *See* 8 U.S.C. § 1252(b)(1) ("The petition for review must be filed not later than 30 days after the date of the final order of removal."). Mr. Sawaneh did not file his petition for review until April 11, 2019, which was 49 days after the Board issued its decision. Mr. Sawaneh's petition for

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

review is therefore untimely. The filing of a timely petition for review is “mandatory and jurisdictional; it is not subject to equitable tolling.” *Gonzalez-Alarcon v. Macias*, 884 F.3d 1266, 1271 (10th Cir. 2018). Accordingly, we dismiss Mr. Sawaneh’s untimely petition for review for lack of jurisdiction. We deny as moot Mr. Sawaneh’s motion for a stay of removal pending appeal.

Entered for the Court
Per Curiam