

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

April 30, 2008

No. 06-60937

Charles R. Fulbruge III
Clerk

AI JIN WANG

Petitioner

v.

MICHAEL B MUKASEY, US ATTORNEY GENERAL

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A78 205 508

Before JONES, Chief Judge, and BARKSDALE and STEWART, Circuit Judges.

PER CURIAM:*

Ai Jin Wang, a native of China, petitions for review of a final order of the Board of Immigration Appeals (BIA). The BIA summarily affirmed the Immigration Judge's (IJ's) decision to deny her application for asylum, withholding of removal, relief under the Convention Against Torture (CAT), and voluntary departure.

In her petition, Wang exclusively argues the merits of her asylum application, namely, that she was forcibly sterilized in China and might be jailed

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

upon her return because she did not pay the fine for violating the family planning policy. However, Wang does not challenge in this court, nor did she challenge in her appeal to the Board, the IJ's finding that her asylum application was untimely. Accordingly, Wang has failed to exhaust her administrative remedies, and this court lacks jurisdiction to review the IJ's denial of her application for asylum. 8 U.S.C. § 1252(d)(1); Wang v. Ashcroft, 260 F.3d 448, 452-53 (5th Cir. 2001). Her petition for review is therefore DISMISSED.

Wang's motion for stay of deportation is DENIED.