

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 10-12239
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT FEB 17, 2011 JOHN LEY CLERK

Agency No. A097-956-106

SINESIA MARIA RABELO,
a.k.a. Maria Rabelo Sinesia,

Petitioner,

versus

U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of a Decision of the
Board of Immigration Appeals

(February 17, 2011)

Before BLACK, BARKETT and MARCUS, Circuit Judges.

PER CURIAM:

Sinesia Maria Rabelo seeks review of the Board of Immigration Appeals' (BIA) order dismissing her motion to reconsider her second motion to reopen her removal proceedings. On appeal, she challenges only the denial of her *first* motion to reopen her removal proceedings and the merits of the underlying removal order. We lack jurisdiction to consider the denial of Rabelo's first motion to reopen because she failed to exhaust her administrative remedies by filing a timely petition for review of that decision. 8 U.S.C. § 1252(d)(1); *Amaya-Artunduaga v. U.S. Att'y Gen.*, 463 F.3d 1247, 1250 (11th Cir. 2006) (noting we lack jurisdiction to consider claims not raised before the BIA). Our review on appeal is thus limited to whether the BIA abused its discretion in affirming the IJ's decision denying the motion for reconsideration of the order denying Rabelo's second motion to reopen. Because Rabelo does not attack the BIA's determination that her second motion to reopen was numerically barred, or present any argument that an exception existed that would overcome the number bar, she has abandoned those arguments. *See Sepulveda v. U.S. Att'y Gen.*, 401 F.3d 1226, 1228 n.2 (11th Cir. 2005) ("When an appellant fails to offer argument on an issue, that issue is abandoned.").

Accordingly, we dismiss the petition to the extent that Rabelo seeks to challenge the IJ's underlying order of removal and the denial of her first motion to

reopen. We deny the petition to the extent that she challenges the BIA's denial of her motion for reconsideration.

PETITION DISMISSED IN PART AND DENIED IN PART.