

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

MAY 22 2000

PATRICK FISHER
Clerk

BALDEMAR TORRES-JUAREZ,

Petitioner,

v.

IMMIGRATION &
NATURALIZATION SERVICE,

Respondent.

No. 00-9513
(Petition for Review)
(No. A90700918)

ORDER AND JUDGMENT*

Before **BRORBY**, **EBEL**, and **MURPHY**, Circuit Judges.

On May 18, 2000, petitioner filed a petition from review from the Bureau of Immigration Appeals' decision dated April 6, 2000. He seeks an emergency stay of deportation pending our review of the petition.

This case is governed by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Pub. L. No. 104-208, 110 Stat. 3009,

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

which was enacted on September 30, 1996. Under the transitional rules of that statute, applicable to petitioner's case, petitioner had thirty days from the agency's final order of deportation to file his petition for review. *See* IIRIRA § 309(c)(4). Because petitioner filed his petition for review more than thirty days after the BIA's decision, his petition for review is untimely.

The stay motion and petition for review are DISMISSED.

ENTERED FOR THE COURT
PER CURIAM