

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 00-1136

Jose Ortiz,

Appellant,

v.

Immigration and Naturalization
Service,

Appellee.

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On Petition for Review of
an Order of the Immigration
and Naturalization Service.

[Not To Be Published]

Submitted: October 3, 2000

Filed: October 16, 2000

Before RICHARD S. ARNOLD, HANSEN, and BYE, Circuit Judges.

PER CURIAM.

Jose Ortiz petitions for review of an order of the Board of Immigration Appeals (BIA) dismissing his appeal from the denial of his second motion to reopen deportation proceedings. We lack jurisdiction to review the arguments Ortiz now makes, because they relate to his first motion to reopen, the denial of which he did not appeal to the BIA. See Afolayan v. INS, 219 F.3d 784, 788 (8th Cir. 2000) (no jurisdiction to review claims that were not first raised before BIA). As to the second motion to reopen, we conclude that the BIA did not err in affirming the Immigration Judge's decision that Ortiz was not eligible for relief under the Nicaraguan Adjustment and

Central American Relief Act, Pub. L. No. 105-100, 111 Stat. 2160 (1997), amended by Pub. L. No. 105-139, 111 Stat. 2644 (1997). See Feleke v. INS, 118 F.3d 594, 597-98 (8th Cir. 1997) (standard of review).

Accordingly, we deny the petition.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.