

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JUL 03 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SURINDER SINGH,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 03-72449

Agency No. A77-159-958

MEMORANDUM *

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted June 18, 2008**

Before: THOMAS, W. FLETCHER, and CLIFTON, Circuit Judges.

Surinder Singh, a native and citizen of India, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from the Immigration

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Judge's (IJ) denial of his application for asylum. We have jurisdiction to review the determination that Singh did not qualify for an exception to the one-year deadline for filing an asylum application. *See* 8 U.S.C. § 1252(a)(2)(D). We review for substantial evidence, reversing only if the evidence compels a contrary result. *See INS v. Elias-Zacarias*, 502 U.S. 478, 481 n.1 (1992).

The record does not compel the conclusion that Singh has shown extraordinary or changed circumstances to excuse the untimely filing of his asylum application. *See* 8 C.F.R. § 208.4(a)(4), (5). Accordingly, we deny the petition as to Singh's asylum claim.

PETITION FOR REVIEW DENIED.