

SEP 04 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LEFINA MARIA DOTULUNG;  
ARNOLD ALEXANDER KINDANGEN,

Petitioners,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 05-73232

Agency Nos. A96-356-489  
A96-356-488

MEMORANDUM\*

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

Submitted August 26, 2008\*\*

Before: SCHROEDER, KLEINFELD, and IKUTA, Circuit Judges.

Lefina Maria Dotulung and her husband, natives and citizens of Indonesia,  
petition for review of the Board of Immigration Appeals' ("BIA") order dismissing

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\* 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).

their appeal from an immigration judge's decision denying their application for asylum, withholding of removal, and protection under the Convention Against Torture ("CAT"). We have jurisdiction pursuant to 8 U.S.C. § 1252. We review for substantial evidence, *Dhital v. Mukasey*, 532 F.3d 1044, 1050 (9th Cir. 2008), and we deny the petition for review.

The record does not compel the conclusion that extraordinary or changed circumstances excused the untimely filing of petitioners' asylum application. *See* 8 C.F.R. § 208.4(a)(4)(5); *Ramadan v. Gonzales*, 479 F.3d 646, 657-58 (9th Cir. 2007) (per curiam). As a result, the petitioners are not eligible for asylum.

We do not consider withholding of removal or CAT protection because the petitioners concede in their opening brief that they are not eligible for these grounds of relief.

**PETITION FOR REVIEW DENIED.**