

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 05-3514

BENNY KURNIA ISKANDAR,

Petitioner

v.

ATTORNEY GENERAL OF THE UNITED STATES,

Respondent

On Petition for Review of an Order
of the Board of Immigration Appeals
No. A95-473-977
Immigration Judge: Honorable Miriam K. Mills

Submitted Under Third Circuit LAR 34.1(a)
April 27, 2006

Before: SCIRICA, Chief Judge, and NYGAARD, Circuit Judge,
and ALARCON,* Circuit Judge.

(Filed May 5, 2006)

*Honorable Arthur L. Alarcon, Senior Circuit Judge for the Ninth Circuit Court of Appeals, sitting by designation.

OPINION OF THE COURT

NYGAARD, Circuit Judge.

Petitioner, Benny Kurnia Iskandar, petitions for review of the decision of the Board of Immigration Appeals which denied his application for asylum because it was untimely. Petitioner filed his asylum application more than three years after he arrived in the United States. Pursuant to 8 U.S.C. § 1158(a)(2)(B), an alien must file his application for asylum within one year of his arrival in the United States. Only upon a showing of changed circumstances which materially affect the alien's eligibility for asylum or of extraordinary circumstances explaining the delay will this limitations period be extended. *See* 8 U.S.C. § 1158(a)(2)(D). Because Petitioner filed his application more than three years after his arrival in this country, and there existed no reason for extending the one year limitations period, the Immigration Judge denied his application as untimely. The Board adopted and affirmed this decision.

This Court lacks jurisdiction to review the Board's denial of Petitioner's asylum application as untimely. *See* 8 U.S.C. § 1158(a)(3); *Tarrawally v. Ashcroft*, 338 F.3d 180, 185 (3d Cir. 2003). We will therefore dismiss the petition for review.