

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 3 2016

FOR THE NINTH CIRCUIT

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

JOSE LUIS VILLELA MIRANDA,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-71949

Agency No. A074-824-630

MEMORANDUM*

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

Submitted July 26, 2016**

Before: SCHROEDER, CANBY, and CALLAHAN, Circuit Judges.

Jose Luis Villela Miranda, a native and citizen of Guatemala, petitions for review of the Board of Immigration Appeals' ("BIA") order denying his motion to reopen removal proceedings. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the BIA's denial of a motion to reopen. *Najmabadi*

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

v. Holder, 597 F.3d 983, 986 (9th Cir. 2010). We deny the petition for review.

The BIA did not abuse its discretion denying Villela Miranda’s motion to reopen as untimely, where it was filed more than sixteen years after the agency’s final decision, *see* 8 C.F.R. § 1003.2(c)(2), and Villela Miranda did not establish changed circumstances in Guatemala to overcome the time limitation for a motion to reopen, *see* 8 C.F.R. § 1003.2(c)(3)(ii); *Najmabadi*, 597 F.3d at 987-91 (evidence must be “qualitatively different” to warrant reopening).

PETITION FOR REVIEW DENIED.