

DEC 2 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MARIA ISABEL HERNANDEZ ANGELES,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 10-72987

Agency No. A096-051-352

MEMORANDUM*

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

Submitted November 18, 2014**

Before: LEAVY, FISHER, and N.R. SMITH, Circuit Judges.

Maria Isabel Hernandez Angeles, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ (“BIA”) order dismissing her appeal from an immigration judge’s (“IJ”) decision denying her motion to reopen

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

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

removal proceedings conducted in absentia, and denying her request to remand.

We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the agency's denial of a motion to reopen or remand. *Mohammed v. Gonzales*, 400 F.3d 785, 791 (9th Cir. 2005). We deny the petition for review.

Because Hernandez Angeles has not challenged the agency's conclusion that her motion to reopen was untimely filed, she has waived this issue. *See Rizk v. Holder*, 629 F.3d 1083, 1091 n.3 (9th Cir. 2011) (issues not raised in opening brief are waived).

The BIA did not abuse its discretion in denying Hernandez Angeles' request to remand, where she is statutorily ineligible for the relief she sought. *See* 8 U.S.C. § 1229a(b)(7).

In light of this disposition, we decline to reach Hernandez Angeles' remaining contentions.

PETITION FOR REVIEW DENIED.