

APR 28 2015

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LAURA MESA-VALDEZ,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

No. 11-71481

Agency No. A074-323-635

MEMORANDUM*

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

Submitted December 9, 2014**
Submission Vacated January 15, 2015
Resubmitted April 24, 2015
San Francisco, California

Before: O'SCANNLAIN, FISHER and HURWITZ, Circuit Judges.

Laura Mesa-Valdez petitions for review of the Board of Immigration Appeals (BIA) decision denying her motion to reopen. We deny the petition.

*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).

1. The BIA did not abuse its discretion by denying Mesa-Valdez's motion to reopen. Mesa-Valdez did not establish a reasonable likelihood that her children would face exceptional and extremely unusual hardship if she were removed to Mexico. *See* 8 U.S.C. § 1229b(b)(1); *Mendez-Gutierrez v. Gonzales*, 444 F.3d 1168, 1171 (9th Cir. 2006). Her evidence did not establish the extent of her current medical condition, what medical care she requires or why her relatives in Mexico could not provide required care. *See Patel v. INS*, 741 F.2d 1134, 1137 (9th Cir. 1984).

2. The BIA did not violate the Due Process Clause by denying Mesa-Valdez's motion to reopen. Mesa-Valdez did not show a reasonable likelihood that she would prevail on her application for cancellation of removal. Because the BIA did not err in denying her motion, it did not violate her due process rights. *See Zetino v. Holder*, 622 F.3d 1007, 1013-14 (9th Cir. 2010); *Lata v. INS*, 204 F.3d 1241, 1246 (9th Cir. 2000).

PETITION DENIED.