

DEC 10 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ROSA EDUVIGES VERDUZCO-
WENCE,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 11-73770

Agency No. A079-521-090

MEMORANDUM*

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

Submitted November 19, 2013**

Before: CANBY, TROTT, and THOMAS, Circuit Judges.

Rosa Eduvigis Verduzco-Wence, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ (“BIA”) order denying her motion to reopen. We have jurisdiction under 8 U.S.C. § 1252. We review for

* 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).

abuse of discretion the denial of a motion to reopen, *Najmabadi v. Holder*, 597 F.3d 983, 986 (9th Cir. 2010), and we deny the petition for review.

The BIA did not abuse its discretion in denying Verduzco-Wence's motion to reopen as untimely because it was filed nearly nine years after the BIA's final decision, *see* 8 C.F.R. § 1003.2(c)(2), and Verduzco-Wence failed to demonstrate changed circumstances in Mexico to qualify for the regulatory exception to the time limitation, *see* 8 C.F.R. § 1003.2(c)(3)(ii); *Najmabadi*, 597 F.3d at 988-89 (evidence submitted with motion to reopen must show conditions are qualitatively different than at time of hearing); *see also Almaraz v. Holder*, 608 F.3d 638, 640 (9th Cir. 2010) (change in personal circumstances is insufficient to excuse an untimely motion to reopen). In light of this conclusion, we do not reach Verduzco-Wence's remaining contentions.

PETITION FOR REVIEW DENIED.