NOT FOR PUBLICATION

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U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RUBEN ORTEGA ALMANZA, Petitioner, v. MATTHEW G. WHITAKER, Acting Attorney General, Respondent.	No. 14-70091 Agency No. A079-580-870 MEMORANDUM*

On Petition for Review of an Order of the
Immigration Judge

Submitted November 27, 2018**

Before: CANBY, TASHIMA, and FRIEDLAND, Circuit Judges.

Ruben Ortega Almanza, a native and citizen of Mexico, petitions for review of an immigration judge's ("IJ") determination under 8 C.F.R. § 1208.31(a) that he did not have a reasonable fear of persecution or torture in Mexico and thus is not entitled to relief from his reinstated removal order. We have jurisdiction under

* 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).

8 U.S.C. § 1252. We review de novo claims of due process violations in immigration proceedings. *Cruz Rendon v. Holder*, 603 F.3d 1104, 1109 (9th Cir. 2010). We deny the petition for review.

We reject as unsupported by the record Almanza's contentions that the IJ violated his due process rights by failing to provide a reasoned explanation for her decision. *See Lata v. INS*, 204 F.3d 1241, 1246 (9th Cir. 2000) (requiring error to prevail on a due process claim). We also reject Almanza's contention that the IJ failed to consider his arguments. *See Larita-Martinez v. INS*, 220 F.3d 1092, 1095-96 (9th Cir. 2000).

In his opening brief, Almanza fails to challenge the IJ's determination that he did not have a reasonable fear of persecution on account of a protected ground or torture in Mexico. Thus, Almanza has waived any such challenge. *See Rizk v. Holder*, 629 F.3d 1083, 1091 n.3 (9th Cir. 2011) (a petitioner waives an issue by failing to raise it in the opening brief).

The motion of the National Immigration Project of the National Lawyers Guild and the Northwest Immigrant Rights Project for leave to file an amici curiae brief out of time (Docket Entry No. 30) is denied.

PETITION FOR REVIEW DENIED.