NOT FOR PUBLICATION

FILED

AUG 24 2016

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

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

NOIME CRUZ, Petitioner, v. LORETTA E. LYNCH, Attorney General, Respondent.	No. 15-70416 Agency No. A089-053-594 MEMORANDUM*

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

Submitted August 16, 2016**

Before: O'SCANNLAIN, LEAVY, and CLIFTON, Circuit Judges.

Noime Cruz, a native and citizen of the Philippines, petitions for review of the Board of Immigration Appeals' ("BIA") order denying her motion to reopen removal proceedings. We have jurisdiction under 8 U.S.C. § 1252; *Garcia v. Holder*, 621 F.3d 906, 911 (9th Cir. 2010). We review for abuse of discretion the

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* 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).

denial of a motion to reopen, *Garcia*, 621 F.3d at 912, and we deny the petition for review.

The BIA did not abuse its discretion in denying Cruz's motion to reopen on the ground that the new evidence of hardship to Cruz's legal permanent resident mother was insufficient to establish prima facie eligibility for cancellation of removal. *See Fernandez v. Gonzales*, 439 F.3d 592, 599 (9th Cir. 2006) (the BIA may deny a motion to reopen for failure to establish prima facie eligibility); *Garcia*, 621 F.3d at 913 ("The 'exceptional and extremely unusual hardship' standard is a very demanding one.").

PETITION FOR REVIEW DENIED.