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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ANGELA MENDOZA JIMENEZ; HUGO MENDOZA,</p> <p style="text-align: center;">Petitioners,</p> <p style="text-align: center;">v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>
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No. 07-72165

Agency Nos. A076-381-894
A076-381-896

MEMORANDUM*

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

Submitted December 15, 2009**

Before: GOODWIN, WALLACE, and FISHER, Circuit Judges.

Angela Mendoza Jimenez and her son, Hugo Mendoza, natives and citizens of Mexico, petition for review of the Board of Immigration Appeals' ("BIA") order denying their motion to reopen removal proceedings. We have jurisdiction

* 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).

pursuant to 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to reopen, *Ochoa-Amaya v. Gonzalez*, 479 F.3d 989, 992 (9th Cir. 2007), and we deny the petition for review.

The BIA did not abuse its discretion in denying the motion to reopen where petitioners did not demonstrate prima facie eligibility for adjustment of status because their priority date was not current. *See id.* at 992-93.

PETITION FOR REVIEW DENIED.