

JAN 21 2010

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JESUS ALBERTO GARCIA LOPEZ; MARTHA MARIA GARCIA,</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>
---

No. 07-72241

Agency Nos. A097-854-079  
A097-854-120

MEMORANDUM\*

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

Submitted January 10, 2010\*\*

Before: BEEZER, TROTT, and BYBEE, Circuit Judges.

Jesus Alberto Garcia Lopez and Martha Maria Garcia, natives and citizens of Mexico, petition pro se for review of the Board of Immigration Appeals' ("BIA")

---

\* 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).

order denying their motion to reopen and reconsider. Our jurisdiction is governed by 8 U.S.C. § 1252. We dismiss in part and deny in part the petition for review.

We lack jurisdiction to review the BIA's March 8, 2007, order dismissing petitioners' appeal from an immigration judge's order denying their application for cancellation of removal. *See Singh v. INS*, 315 F.3d 1186, 1188 (9th Cir. 2003).

The petition for review is timely only as to the BIA's May 11, 2007, order denying petitioners' motion to reopen and reconsider. In their brief, petitioners fail to address this order and waive any challenge to it. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259-60 (9th Cir. 1996) (issues not specifically raised and argued in a party's opening brief are waived).

**PETITION FOR REVIEW DISMISSED in part; DENIED in part.**