

DEC 27 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JOSE ALFONSO PALACIOS HERNANDEZ; et al.,</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. 09-70016

Agency Nos. A095-300-791
A095-300-792
A095-300-793
A095-300-794

MEMORANDUM*

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

Submitted December 14, 2010**

Before: GOODWIN, WALLACE, and W. FLETCHER, Circuit Judges.

Jose Alfonso Palacios Hernandez and family, natives and citizens of Mexico, petition pro se for review of the Board of Immigration Appeals’ (“BIA”) order denying their motion to reopen. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to reopen, *Delgado-Ortiz v.*

* 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).

Holder, 600 F.3d 1148, 1150 (9th Cir. 2010) (per curiam), and we deny the petition for review.

The BIA did not abuse its discretion in denying petitioners' motion to reopen because the successive motion was filed more than 90 days after the final order of removal, *see* 8 C.F.R. § 1003.2(c)(2), and petitioners failed to present evidence of changed conditions in Mexico particular to petitioners and their circumstances so as to qualify for the exception to the regulatory filing limitations, *see id.* at § 1003.2(c)(3)(ii); *Toufighi v. Mukasey*, 538 F.3d 988, 996-97 (9th Cir. 2008).

PETITION FOR REVIEW DENIED.