

MAR 28 2011

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JOSE ISABEL VELASQUEZ-MURO,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
--

No. 10-71392

Agency No. A099-880-984

MEMORANDUM\*

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

Submitted March 8, 2011\*\*

Before: FARRIS, LEAVY and BYBEE, Circuit Judges.

Jose Isabel Velasquez-Muro, a native and citizen of Mexico, petitions for review of a Board of Immigration Appeals order denying his motion to reopen removal proceedings. Our jurisdiction is governed by 8 U.S.C. § 1252. We dismiss the petition for review.

---

\* 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).

We lack jurisdiction to review the Board's denial of petitioner's motion to reopen, which introduced further evidence of hardship to his permanent resident parents and United States citizen children that did not alter the previous discretionary determination or make out a prima facie case for relief. *Fernandez v. Gonzales*, 439 F.3d 592, 600 (9th Cir. 2006) (explaining that § 1252(a)(2)(B)(i) bars jurisdiction when question presented in motion to reopen is essentially the same hardship ground originally decided).

**PETITION FOR REVIEW DISMISSED.**