

APR 28 2011

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MAGDY WADIE SALEEB HANNA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 09-70153

Agency No. A099-397-442

MEMORANDUM*

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

Submitted April 20, 2011**

Before: RYMER, THOMAS, and PAEZ, Circuit Judges.

Magdy Wadie Saleeb Hanna, a native and citizen of Egypt, petitions for review of the Board of Immigration Appeals’ (“BIA”) order denying his motion to reopen. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of

* 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).

discretion the denial of a motion to reopen, *Azanor v. Ashcroft*, 364 F.3d 1013, 1018 (9th Cir. 2004), and we deny the petition for review.

The BIA did not abuse its discretion by denying Hanna's motion to reopen because the motion failed to comply with the requirements set forth in *Matter of Lozada*, 19 I. & N. Dec. 637, 639 (BIA 1988). *See Azanor*, 364 F.3d at 1023 (noting that failure to comply with *Lozada* is significant where the facts underlying petitioner's claim were not plain on the face of the record).

PETITION FOR REVIEW DENIED.