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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ANGEL MUNOZ MORALES and
ALEJANDRA MUNOZ,

Petitioners,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 07-71211

Agency Nos. A075-509-942
A075-509-943

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.

Angel Munoz Morales and Alejandra Munoz, natives and citizens of Mexico, petition 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, *Mohammed 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).

Gonzales, 400 F.3d 785, 791–92 (9th Cir. 2005), and we deny the petition for review.

The BIA did not abuse its discretion in denying as untimely petitioners’ motion to reopen because the motion was filed more than 90 days after the final administrative order. *See* 8 C.F.R. § 1003.2(c)(2); *see also Cruz v. Mukasey*, 532 F.3d 946, 949 (9th Cir. 2008) (per curiam) (“The pendency of a petition for review of an order of removal does not toll the statutory time limit for the filing of a motion to reopen with the BIA.”).

PETITION FOR REVIEW DENIED.