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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LILIAN MARIBEL TORRES,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-72801

Agency No. A070-882-532

MEMORANDUM\*

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

Submitted May 24, 2011\*\*

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

Lilian Maribel Torres, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals' ("BIA") order summarily affirming an immigration judge's decision denying her motion to reopen deportation proceedings conducted in absentia. We have jurisdiction under 8 U.S.C. § 1252.

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\* 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 review for abuse of discretion the denial of a motion to reopen, and review de novo claims of due process violations. *Mohammed v. Gonzales*, 400 F.3d 785, 791-92 (9th Cir. 2005). We deny the petition for review.

The agency did not abuse its discretion in denying Torres' motion to reopen on the ground that she failed to show that personal service of an Order to Show Cause was insufficient to provide her with notice of her responsibility to notify the immigration court of her changes of address. *See* 8 U.S.C. § 1229(a)(1)(F)(ii). Nor did the agency abuse its discretion in finding unpersuasive Torres' contention that she could not have received adequate notice because she did not provide any address to immigration officials, because where an alien fails to provide an address, no written notice of hearing is required. 8 U.S.C. § 1252b(c)(2) (repealed 1996).

It follows that Torres has not established a due process violation. *See Lata v. INS*, 204 F.3d 1241, 1246 (9th Cir. 2000) (petitioner must show error to prevail on a due process claim).

**PETITION FOR REVIEW DENIED.**