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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JOSE ANTONIO BEJARANO TARABILLO,</p> <p style="text-align: center;">Petitioner,</p> <p style="text-align: center;">v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>

No. 09-74024

Agency No. A099-122-190

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.

Jose Antonio Bejarano Tarabillo, a native and citizen of Bolivia, petitions pro se for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his motion to reopen. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the denial 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).

a motion to reopen, *Mohammed v. Gonzales*, 400 F.3d 785, 791 (9th Cir. 2005), and we deny the petition for review.

The agency did not abuse its discretion in denying Bejarano Tarabillo's motion to reopen on the ground that he failed to present clear and convincing evidence indicating a strong likelihood his marriage was bona fide, and therefore did not establish prima facie eligibility for adjustment of status. *See* 8 C.F.R. § 204.2(a)(1)(iii)(B); *Malhi v. INS*, 336 F.3d 989, 993-94 (9th Cir. 2003).

Bejarano Tarabillo's remaining contentions are unavailing.

PETITION FOR REVIEW DENIED.