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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RUBEN GUADALUPE RODRIGUEZ
CASTELAN; MARIA DE LOURDES
RAMIREZ RUIZ,

Petitioners,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-73283

Agency Nos. A075-690-467
A075-695-977

MEMORANDUM*

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

Submitted June 15, 2011**

Before: CANBY, O’SANNLAIN, and FISHER, Circuit Judges.

Ruben Guadalupe Rodriguez Castelan and Maria De Lourdes Ramirez Ruiz,
natives and citizens of Mexico, petition for review of the Board of Immigration
Appeals’ (“BIA”) order denying their motion to reopen removal proceedings. We

* 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).

have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to reopen, *Reyes v. Ashcroft*, 358 F.3d 592, 595 (9th Cir. 2004), and we deny the petition for review.

The BIA did not abuse its discretion in denying petitioners' motion to reopen based on ineffective assistance of counsel because petitioners failed to demonstrate plausible grounds for relief. *See Ray v. Gonzales*, 439 F.3d 582, 587 (9th Cir. 2006) (where petitioner is deprived of the opportunity to present his claim due to counsel's error, he has been denied due process if he can demonstrate "plausible grounds for relief" on his underlying claim).

PETITION FOR REVIEW DENIED.