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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>GLORIA QUINTERO-QUINTERO,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 09-72807

Agency No. A096-360-149

MEMORANDUM\*

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

Submitted August 2, 2011\*\*

Before: RYMER, IKUTA, and N.R. SMITH, Circuit Judges.

Gloria Quintero-Quintero, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals’ (“BIA”) order denying her motion to reopen and reconsider. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to reopen or reconsider,

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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).

*Valeriano v. Gonzales*, 474 F.3d 669, 672 (9th Cir. 2007), and we deny the petition for review.

The BIA did not abuse its discretion in denying Quintero-Quintero's motion to reconsider where she did not identify any error of law or fact in the BIA's previous determination that she failed to establish prejudice resulting from the alleged errors of former counsel because she did not show any plausible grounds for relief. *See* 8 C.F.R. § 1003.2(b)(1); *Rojas-Garcia v. Ashcroft*, 339 F.3d 814, 826 (9th Cir. 2003) (presumption of prejudice arising from counsel's failure to file an appeal is rebutted where petitioner cannot show plausible grounds for relief).

To the extent Quintero-Quintero also sought reopening on the basis of new hardship evidence, the BIA did not abuse its discretion in denying her motion where the new evidence she submitted did not establish prima facie eligibility for cancellation of removal. *See Garcia v. Holder*, 621 F.3d 906, 912-13 (9th Cir. 2010).

**PETITION FOR REVIEW DENIED.**