

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

AUG 9 2011

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

KAMAL MOHAMMED ABDELSHAFI,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 08-71842

Agency No. A098-266-430

MEMORANDUM\*

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

Submitted August 2, 2011\*\*

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

Kamal Mohammed Abdelshafi, a native and citizen of Egypt, petitions for review of the Board of Immigration Appeals' ("BIA") order denying his motion to reopen. We have jurisdiction pursuant to 8 U.S.C. § 1252. We review for abuse of

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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).

discretion the denial of motions to reopen. *Toufighi v. Mukasey*, 538 F.3d 988, 992 (9th Cir. 2008). We deny the petition for review.

The BIA did not abuse its discretion in denying Abdelshafi's motion to reopen because the BIA considered the evidence submitted and acted within its broad discretion in determining that the additional evidence, including his brother's letter, did not demonstrate prima facie eligibility for the relief sought. *See id.* at 996-97; *see also Vides-Vides v. INS*, 783 F.2d 1463, 1467-69 (9th Cir. 1986) (failure to submit evidence indicating that the petitioner was individually targeted or that his situation will be different from the dangers faced by other Salvadorans); *Wakkary v. Holder*, 558 F.3d 1049, 1067-68 (9th Cir. 2009).

**PETITION FOR REVIEW DENIED.**