

APR 23 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FRANCIS SALEM MICHAEL
MALOUF, a.k.a. Fransis Barrac, a.k.a.
David Earl Ervin, a.k.a. Francis Maalouf,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-72030

Agency No. A020-873-550

MEMORANDUM*

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

Submitted April 17, 2012**

Before: LEAVY, PAEZ, and BEA, Circuit Judges.

Francis Salem Michael Malouf, a native of Palestine and citizen of Jordan,
petitions for review of the Board of Immigration Appeals' ("BIA") order denying

* 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).

his motion to reopen removal proceedings. We have jurisdiction under 8 U.S.C. § 1252. We deny the petition for review.

The BIA did not abuse its discretion in denying Malouf’s motion to reopen where Malouf failed to demonstrate materially changed circumstances in Jordan. *See Maly v. Ashcroft*, 381 F.3d 942, 945 (9th Cir. 2004) (“The critical question is . . . whether circumstances have changed sufficiently that a petitioner who previously did not have a legitimate claim for asylum now has a well-founded fear of future persecution.”); *Matter of A-N- & R-M-N*, 22 I & N Dec. 953, 954 (BIA 1999) (an alien who has not shown reasonable cause for his absence from his removal hearing must show materially changed circumstances for a motion to reopen to be granted).

PETITION FOR REVIEW DENIED.