

APR 24 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

YULIYA KANCHEVA YANKOVA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-70340

Agency No. A099-330-482

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.

Yuliya Kancheva Yankova, a native and citizen of Bulgaria, petitions for review of the Board of Immigration Appeals’ (“BIA”) order denying her motion to reopen. We have jurisdiction under 8 U.S.C. § 1252. We review for an abuse of discretion, *Toufighi v. Mukasey*, 538 F.3d 988, 992 (9th Cir. 2008), and we deny

* 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).

the petition for review.

The BIA did not abuse its discretion by denying Yankova's motion to reopen because the BIA considered the evidence she submitted and acted within its broad discretion in determining that the evidence was insufficient to warrant reopening. *See id.* at 996-97 (prior adverse credibility determination rendered motion to reopen evidence immaterial); *Najmabadi v. Holder*, 597 F.3d 983, 989 (9th Cir. 2010) (evidence in motion must have "individualized relevancy").

PETITION FOR REVIEW DENIED.