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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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| <p>GLENDAMARISOL MERCADO-PALMA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p> |
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No. 10-72091

Agency No. A070-942-656

MEMORANDUM*

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

Submitted May 15, 2012 **

Before: CANBY, GRABER and M. SMITH, Circuit Judges.

Glenda Marisol Mercado-Palma, a native and citizen of Guatemala, petitions pro se for review of the Board of Immigration Appeals' order dismissing her appeal from an immigration judge's decision denying her motion to reopen deportation

* 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).

proceedings conducted in absentia. We have jurisdiction under 8 U.S.C. § 1252.

We review for abuse of discretion the denial of a motion to reopen, *Arrieta v. INS*, 117 F.3d 429, 430 (9th Cir. 1997) (per curiam) and we deny the petition for review.

The agency did not abuse its discretion in denying Mercado-Palma's motion to reopen to rescind her deportation order because the hearing notice was sent by certified mail to the address last provided by Mercado-Palma and she failed to rebut the presumption of effective service. *See id.* at 431 (“[N]otice by certified mail sent to an alien's last known address can be sufficient under the Act, even if no one signed for it.”).

PETITION FOR REVIEW DENIED.