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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>SUSAMBAR NAVASARDYAN; et al.,</p> <p>Petitioners,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 10-72656

Agency Nos.      A096-364-703  
                               A096-364-704  
                               A096-364-705  
                               A096-364-706

MEMORANDUM\*

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

Submitted June 26, 2012\*\*

Before:      SCHROEDER, HAWKINS and GOULD, Circuit Judges.

Susambar Navasardyan and his family, natives of Iran or Armenia, and citizens of Armenia, petition for review of the Board of Immigration Appeals’ (“BIA”) orders denying their motion to reopen. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to

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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).

reopen, *Toufighi v. Mukasey*, 538 F.3d 988, 992 (9th Cir. 2008), and we deny the petition for review.

The BIA did not abuse its discretion in denying Navasardyan's motion to reopen as untimely because the motion was filed almost three years after the BIA's final decision, *see* 8 C.F.R. § 1003.2(c)(2), and Navasardyan failed to present material evidence of changed circumstances in Armenia to qualify for the regulatory exception to the time limitation for filing motions to reopen, *see* 8 C.F.R. § 1003.2(c)(3)(ii); *see also Almaraz v. Holder*, 608 F.3d 638, 640-41 (9th Cir. 2010).

**PETITION FOR REVIEW DENIED.**